

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No. 15286 of 2019
Date of Decision:-22.07.2019**

Jamila Begum

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Monty Goyal, Advocate
for the petitioner.

MANOJ BAJAJ J.(Oral)

Petitioner Jamila Begum has filed the present petition under Section 439 Cr.P.C. for grant of regular bail pending trial in case FIR No.276 dated 26.11.2018, under Section 21 of NDPS Act, registered at Police Station Moti Nagar, District Ludhiana.

As per FIR, on 26.11.2018 when the police party was present at HP Full Computer Kanda, Sherepur Bypass, Delhi GT Road, Ludhiana, a secret information was received that Mohammed Arbi s/o Mohammed Latif, resident of Village Jalalabad Sujama, P.S. Bathindi, District Jammu alongwith his wife Jamila Begum (petitioner) used to smuggle heroin from Pakistan and sold the same in the State of Punjab and in other states, are coming in Swift Car No.JK-02BM-8335 white colour to Ludhiana for

selling the same. As per prosecution case, five packets of heroin, each containing 2 kgs 50 grams total 10 kgs 250 grams was recovered from the car in which the accused were travelling and the same was being driven by co-accused Mohammed Arbi.

Learned counsel for the petitioner contends that the petitioner was accompanying her husband and was travelling in the car, from which recovery of narcotic substance was effected. According to him the petitioner, who is a lady, deserves the concession of regular bail, who is in custody since her arrest on 03.12.2018.

Learned State counsel, who is assisted by SI Baldev Raj opposed the prayer for grant of bail on the ground that commercial quantity of contraband was recovered from the accused persons.

Considering the heavy recovery of narcotic substance and the fact that she is wife of co-accused, who was driving the vehicle from which the recovery was effected, it will not be appropriate for this Court to hold that she was not in conscious possession of the alleged contraband.

Resultantly, no ground is made out for grant of concession of bail to the petitioner.

The petition stands dismissed.

July 22, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No