

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38996-2018
Date of decision-02.07.2019

Kirna @ Golo

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sarwinder Goyal, Advocate for the petitioner.

Ms. Sudeepti Sharma, Addl.AG.Punjab assisted by
ASI Harwinder Singh.

MANOJ BAJAJ, J.

Petitioner-Kirna @ Golo has prayed for grant of regular bail in case FIR No.245 dated 14.06.2018 under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 Act registered at Police Station City Barnala.

Learned counsel for the petitioner contends that the petitioner is a lady and the trial is progressing at a very slow pace as only two witnesses have been examined out of total 14 witnesses. According to him, the further custody of the petitioner may not be justified. It is further contended that the FIR was registered on 14.06.2018 and it is seriously debatable as to the possession of alleged contraband i.e. tablets Tramadol was an offence on the said date or not. The attention of the Court is invited to the notification dated 26.04.2018 whereby tablet Tramadol was also added as a substance or natural material or salt in the list of psychotropic substances specified in schedule to the Narcotic Drugs and Psychotropic Substances Act, 1985 Act.

He contends that vide subsequent notification dated 13.07.2018, effect of notification dated 26.04.2018 was kept in abeyance.

On the other hand, learned State counsel who is assisted by ASI Harwinder Singh opposed the prayer for grant of bail on the ground that the contraband recovered from the petitioner falls within the commercial quantity. Besides, it is pointed out that there are two more FIRs against the petitioner under the Excise Act in which she stands convicted.

Considering the above, this Court does not find any ground to extend the concession of regular bail to the petitioner.

The petition is dismissed.

(MANOJ BAJAJ)
JUDGE

02.07.2019

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No