

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

209

CRM-M-19279-2019 (O & M)
Date of Decision:18.07.2019

Kailash Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Tarun Sharma, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No.108 dated 08.07.2018, under Sections 21 and 22 of the NDPS Act, registered at Police Station Guru Harsahai, District Ferozepur.

Learned counsel for the petitioner contends that only 10 grams of heroin was recovered from the petitioner, who is wife of co-accused. It is pointed out that at the time of recovery two separate recovery memos were prepared by the police. He further contends that the other contraband i.e. 750 tablets of Colvidol 100 SR and 260 tablets of Clovimol 100 SR were recovered from the motorcycle driven by her husband. He also states that the investigation in the case is complete. It is further pointed out that interim bail was granted to the petitioner on 03.10.2018 and the said concession was never misused by her.

On the other hand, bail application is opposed by learned State counsel. However, it is not disputed that from the petitioner only 10 grams of heroin was recovered which falls within the category of non-commercial quantity.

Considering the above back ground and the fact that the trial is likely to take some time, further detention of the petitioner may not be justified. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

18.07.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No