

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-21128-2019
Date of decision: 09.08.2019

Gurjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Nemo.

ARVIND SINGH SANGWAN, J. (ORAL)

In view of resolution of the Bar, the lawyers are abstaining from the work.

Prayer in this petition is for grant of regular bail in FIR No.148 dated 14.12.2018 under Section 21 of NDPS Act, registered at Police Station Shambu, District Patiala.

A perusal of the petition shows that co-accused of the petitioner namely Jaswinder Kaur has already been granted the concession of regular bail vide order dated 30.04.2019 passed in CRM-M-18344-2019, by making the following observations: -

“.....Counsel for the petitioner has submitted that as per the allegations in the FIR, registered at the instance of Inspector Kulwinder Singh, the police party during the checking of drug smugglers received a secret information that the co-accused – Gurjit Singh and the petitioner – Jaswinder Kaur are habitual in selling the heroin and they are coming in a car bearing

registration No.PB-01-A-0129 Mark Xylo color white. Thereafter, the police intercepted the vehicle and on conducting the personal search of the petitioner 180 gms of heroin was recovered and 160 gms of heroin was recovered from the co-accused Gurjit Singh, who was driving the aforesaid vehicle. It is further submitted that the recovery effected from the petitioner is of non-commercial quantity. It is further argued that the petitioner is in custody for the last 04 months and 12 days and she is a widow lady and is having 03 minor children to support.

Counsel for the State has filed the Custody Certificate today in the Court and has submitted that the petitioner is not involved in any other case and she is in custody for the last 04 months and 12 days. Counsel for the State, on instructions from ASI Jagjit Singh, submits that challan stands presented.....”

A perusal of the custody certificate dated 15.05.2019 shows that as on today, the petitioner is in custody for the last about 07 months and is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that similarly situated co-accused of the petitioner has already been granted the concession of regular bail, this petition is allowed and the petitioner is also directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

09.08.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No