

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

CRM-M-50014-2018

Date of Decision: 11.01.2019

Sandeep Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Kartikeya Swaroop Mehta, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

INDERJIT SINGH, J.

Petitioner Sandeep Kaur has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.114 dated 25.07.2018, registered at Police Station Goraya, District Jalandhar, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion was issued.

At this stage, Mr. Kartikeya Swaroop Mehta, Advocate has appeared and filed fresh power of attorney on behalf of the petitioner. Same is taken on record.

Learned State counsel appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

Perusal of the record shows that nothing has been recovered from the present petitioner at the time of raid. She is the wife of the driver

of the car and heroin has been recovered from the driver and one another passenger of the car. Furthermore, learned trial Court has framed the charges against the present petitioner under Section 29 of the NDPS Act only. Section 37 of the NDPS Act is not applicable where the accused is charged under Section 29 of the NDPS Act.

The petitioner has been in custody since 25.07.2018. She is not required for any investigation or interrogation purposes as she is in judicial custody. The trial of the case may take long time. No useful purpose will be served by keeping her in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with one surety in the like amount to the satisfaction of the trial Court/Duty Magistrate.

11.01.2019*jasmine kaur***(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No