

S.No.215

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

CRM-M-23084 of 2019 (O&M)

Date of Decision:10.12.2019

Krishna

.....Petitioner

Vs.

The State of UT, Chandigarh

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Hoshier Singh Jaswal, Advocate
for the petitioner.

Mr. Deepinder Brar, APP for UT,
Chandigarh.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.85 dated 24.03.2019 registered under Section 20 of the NDPS Act at Police Station, Industrial Area, Chandigarh.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. Even as per the case of the prosecution, the alleged recovery from the petitioner is only 117 grams of ganja as against the 25 kg. of commercial quantity prescribed for the substance. Hence, the alleged recovery from the petitioner is much less than the commercial quantity prescribed for ganja. The petitioner is in custody since 24.03.2019. The investigation of the case is complete. The petitioner deserves to be released on bail.

On the other hand, learned counsel appearing for UT, Chandigarh instructed by ASI Jasvir Singh, submits that the petitioner is involved in several other cases. However, it is not disputed that in the present case, recovery from the petitioner is only 117 grams of ganja and

that the petitioner is in custody since 24.03.2019.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on her furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

December 10, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No