

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

211

CRM-M-24282-2019.

Date of Decision: 31.05.2019

Seema

....Petitioner.

Versus

State of Haryana

....Respondent.

CORAM: HON'BLE MR. JUSTICE SHEKHER DHAWAN

Present: Mr. K.L. Saini, Advocate for the petitioner.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Shekher Dhawan, J.

Present petition is for under Section 439 Cr.P.C. for grant of regular bail to petitioner-Seema wife of Munish, who is involved in case FIR No.14 dated 12.01.2019 under Section 21/61/85 of the N.D.P.S. Act, registered at Police Station City Narwana, District Jind, for having possession of 01 Kg-300 grams of smack.

Learned counsel representing the petitioner contended that the alleged recovery was not effected from the present petitioner, but from co-accused Vikram alias Vicky and Hardeep and the petitioner has been falsely implicated in this case on the basis of disclosure statement of co-accused. Moreso, co-accused Ashu son of Bagga Ram has already been admitted to bail by learned Additional Sessions Judge, Jind, vide order dated 18.05.2019. The petitioner is in custody since 04.02.2019, trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars any more, so, she be released on

Learned State counsel, on instructions from Sub Inspector Bhoop Singh, affirmed the fact that the alleged recovery was effected from co-accused Vikram alias Vicky and Hardeep, but the petitioner was actually involved in the trade of the smack, as such no case is made out for release of the petitioner on bail.

Learned State counsel fairly conceded that the petitioner is not involved in any other case under N.D.P.S. Act.

Having considered the submissions made by learned counsel for the parties and the fact that the petitioner is in custody since 04.02.2019, the alleged recovery of 1Kg-300 grams of smack was not effected from the present petitioner, but from co-accused Vikram alias Vicky and Hardeep, co-accused Ashu son of Bagga Ram has already been admitted to bail by learned Additional Sessions Judge, Jind, vide order dated 18.05.2019; trial of the case still to take some more time and no useful purpose would be served by detaining the petitioner behind the bars any more, the present petition is allowed. Petitioner-Seema is ordered to be released on regular bail on furnishing adequate bail bond and surety bond to the satisfaction of concerned learned trial Judge/ Chief Judicial Magistrate/ Duty Magistrate.

(SHEKHER DHAWAN)
JUDGE

31.05.2019

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No