

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

229

Criminal Misc. No.M-26043 of 2019

Date of decision : 21.08.2019

Kavita @ Kanika

... Petitioner

Versus

UT, Chandigarh

.. Respondent

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. SS Sarwara, Advocate for the petitioner.

Mr. Rajiv Vij, Addl. P.P., for UT, Chandigarh.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.103 dated 19.04.2019 under Section 21 of the NDPS Act, registered at Police Station Sector 39, Chandigarh.

Learned counsel for the petitioner contends that the allegations against the petitioner are that 5 grams of heroin was recovered from her. The petitioner is 29 year old lady and is in custody for over four months. He also contends that there is no independent witness to the recovery although the alleged recovery has been effected from a busy road. He also contends that the petitioner has been falsely implicated in another case of similar nature wherein the alleged recovery is much less than the commercial quantity. He also states that the petitioner may be released on bail on any condition which will be imposed by this Court.

Learned State counsel states that one out of fifteen prosecution witnesses has been examined.

Heard.

In view of the submissions of learned counsel for the petitioner especially when the recovery effected from the petitioner is below the commercial quantity and she is 29 year old lady and is in custody for over four months and conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The petitioner shall also file an affidavit that she shall not indulge in such activities in future and will report to the Women Police Station, Sector 17, Chandigarh on every **Sunday at 11.00 am** till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

August 21, 2019
sonia gugnani

Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No