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

CRM-M-26664 of 2019

Date of decision: July 04, 2019

Jaswinder Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Satwant Mehta, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of bail to the petitioner, in FIR No.189 dated 14.07.2018, under Sections 21, 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sadar Tarn Taran, District Tarn Taran.

Custody certificate dated 04.07.2019 filed by learned State counsel, today in Court, is taken on record.

As per prosecution case, 10 grams of Heroin and 500 loose unlabelled light orange colored tablets were allegedly recovered from the possession of the petitioner and her husband.

Contentends that the petitioner is in custody since 16.05.2019 and on earlier occasion, she was granted interim bail by this Court and she never misused the same. Also contends that petitioner as well as her husband, both are in custody and there is no other family member to look after their children. Further contends that there is no other criminal case

pending against the petitioner and after investigation, challan has already been presented.

Factum of grant of interim bail to the petitioner as well as submission of challan is duly acknowledged by learned State counsel, on instructions from police official present in Court to assist him.

There is no dispute that husband of the petitioner is also in custody in this case. Taking into consideration the fact that petitioner is a female and there is no other family member to look after their children; challan has already been presented and there are total 9 prosecution witnesses, but only one witness has been examined till date and the trial will take long time, thus, this Court deems it appropriate to grant bail to the petitioner pending trial.

As a result thereof, this petition is allowed. Petitioner is ordered to be released on bail, in this case, on her furnishing adequate bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned.

The above observations may not be construed as an expression of opinion on the merits of the case.

However, it is clarified that petitioner shall fully co-operate with learned trial Court without seeking any unnecessary adjournments.

(MAHABIR SINGH SINDHU)
JUDGE

July 04, 2019
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Whether speaking/ reasoned: **Yes**
Whether Reportable: **Yes**