

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

CRM-M-30243 of 2019

Date of decision: 05.11.2019

Amarjit Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. D.N Ganeriwala, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

HARINDER SINGH SIDHU, J.

Prayer is for grant of regular bail in case FIR No.37 dated 07.04.2019 under Sections 21,22 of NDPS Act registered at P.S Sadar Banga, District SBS Nagar.

As per allegations in the FIR, 12 injections of Buprenorphone 2 ml each and 12 injections of AVIL 10 ml each and 04 gram heroine were recovered from the possession of the petitioner.

Learned counsel for the petitioner contends that 04 grams of heroin is non-commercial quantity. The injections of AVIL are not covered under the NDPS Act. The recovery of Buprenorphone is only marginally higher than the commercial quantity.

Opposing the petition, the learned State counsel has submitted that out of 12, 02 prosecution witnesses have already been examined.

Without commenting anything on the merits of the case and also bearing in mind the fact that the petitioner is in custody since 07.04.2019 and is not wanted in any other case, in my opinion, no useful purpose will be served by detaining the petitioner behind bars any further. The petition, as such, is accepted. The petitioner Amarjit Kaur is ordered to be released on bail on her furnishing bail bonds/surety bonds to the

satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

However, in case the petitioner indulges in any activity akin to one for which he has been convicted, while on bail, the prosecution agency will be at liberty to seek the cancellation of the order granting bail to the petitioner.

This present petition stands accepted accordingly

November 05, 2019
manoj

(Harinder Singh Sidhu)
Judge