

In the High Court of Punjab and Haryana at Chandigarh

102+221

CRM-M-29712-2019 (O & M)
Date of Decision: October 04, 2019

BEENA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Vikas Sonak, Advocate for
Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Mr. K.K. Bheniwala, Addl. AG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

CRM-28625-2019

This application is filed for placing on record translated copy of DDR/Rapat/General Diary No.47 dated 02.08.2019 under Section 29 of the NDPS Act as Annexure P-3 and for adding the offence under Section 29 of the NDPS Act in the main petition.

Issue notice to the respondent.

At the asking of the Court, Mr. K.K. Bheniwala, Addl. AG, Punjab accepts notice.

Application is allowed and translated copy of DDR/Rapat/General Diary No.47 dated 02.08.2019 under Section 29 of the NDPS Act as Annexure P-3 is taken on record and also the offence under Section 29 of the NDPS Act is added in the head note of the main petition as well as in the prayer clause.

Main Case

The petitioner is seeking anticipatory bail in FIR No. 64 dated 12.06.2019, under Section 22 of the Narcotic and Psychotropic Substances Act, 1985 ('NDPS Act' - for short) (Section 29 of the NDPS Act added later on), registered at Police Station Kabarwala, District Sri Muktsar Sahib.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that 24 strips each containing 10 tablets of Tramadol Hydrochloride and 21 strips each containing 10 tablets of Clovidol were recovered from a plastic bag being carried by accused Kala Singh @ Fauji. He also contends that the petitioner has been arraigned as an accused on the statement of accused Kala Singh. The petitioner is 29 year old lady with three minor children and is not involved in any other case under the NDPS Act and has been falsely implicated. He also contends that after filing of this petition, Section 29 of the NDPS Act has been added and the petitioner shall be preferring an application for addition of this Section in the head note as well as in the prayer clause.

This Court, by the order dated 09.09.2019, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Surinder Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and the petitioner having joined investigation, the order dated 09.09.2019

granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

October 04, 2019

A.Kaundal

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