

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

**CRM-M-30261-2019
Date of decision: 05.11.2019**

Rajwant Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Dinesh Nagar, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 25 dated 12.03.2019, registered under Sections 22 and 29 of the NDPS Act, 1985 at Police Station Rahon, District S.B.S. Nagar.

Learned counsel for the petitioner submits that the petitioner, along with her husband Happy, were apprehended by the police with the allegations that she was the pillion rider on a motorcycle which was being driven by her husband Happy and recovery of 60 injections of *Buprenorphine* were effected.

Learned counsel for the petitioner further submits that the petitioner is not involved any other case and she has a minor child and since the petitioner and her husband are in judicial custody, there is no one at home to look after the child.

Learned counsel for the petitioner further submits that the petitioner is involved in this case on account of the fact that her husband

Happy is involved in some other cases under the NDPS Act, whereas the petitioner is not involved in any other case under the NDPS Act.

Learned State counsel, on instructions from ASI Karamjit Singh and on the basis of the custody certificate dated 23.07.2019, has not disputed the factual position and submitted that petitioner is in judicial custody since 12.03.2019 and challan stands presented.

Learned State counsel has also not disputed the fact that husband of the petitioner is also in judicial custody and there is no one at home to look after the minor child.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the aforesaid submissions of learned counsel for the parties and also in view of the fact that petitioner, who is a lady, is in judicial custody since 12.03.2019 and she has to take care of her minor child; the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

05.11.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*