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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39378-2019

Date of decision-19.09.2019

Mobina

....Petitioner

Vs.

State of Haryana

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sanpreet Sandhu, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana assisted by
SI Som Nath.

MANOJ BAJAJ, J.

Petitioner-Mobina has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.428 dated 09.08.2019 registered under Section 21 Narcotic Drugs and Psychotropic Substances Act, 1985 Act at Police Station City, Yamuna Nagar, District Yamuna Nagar. She is in custody since her arrest on 09.08.2019.

The FIR was registered on the secret information wherein it was informed that Mobina wife of Faiju and Mohd. Sahil @ Chocha son of Faiju resident of Atmapuri Colony does work of selling smack. As per the information, she was coming from U.P with smack and would go to her house. Acting upon the same, a naka was set up and accused Mobina was apprehended with approximately 13 grams of heroin. As per the prosecution, co-accused, namely, Mohd. Sahil i.e. her son had ran away.

Learned counsel for the petitioner contends that the recovered

quantity is non-commercial and the investigation of the case is almost complete and the petitioner is in judicial custody. He submits that the petitioner is a lady and her further custody may not be justified particularly when she was not involved in any other similar case.

On the other hand, learned State counsel assisted by SI Som Nath opposed the bail application, however, it is not disputed that there is no other case against the petitioner and the recovered quantity is non-commercial in nature.

Considering the above background and the fact that the trial of the case is likely to consume considerable time, this Court does not find any valid reason to detain the petitioner any further in custody. Therefore, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court, Yamuna Nagar.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

19.09.2019
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No