

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

CRM-M-42776-2019

Date of decision-23.10.2019

Bhajan Kaur

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Prateek Pandit, Advocate for the petitioner.
Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner-Bhajan Kaur has prayed for grant of regular bail under Section 439 Cr.P.C in case FIR No.122 dated 27.09.2018 under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Subhanpur, District Kapurthala.

On 27.09.2018, when the police party was on patrol duty at village bridge of bein rivulet in front of cattle market, then one man was seen coming on the road, who on seeing the police, tried to run away. On suspicion, he was apprehended and after following the procedure, his search was conducted and 265 grams intoxicant powder were recovered from Parmjit Singh's possession.

Learned counsel further contends that the petitioner was neither present at the spot nor any contraband was recovered from her possession. She was indicted in the present case on the disclosure of Paramjit Singh @ Pamma. He further contends that concession of pre-arrest bail was extended to the petitioner by this Court through CRM-M-12993-2019 vide order dated 29.04.2019, however, the said concession was operative till filing the final

report under Section 173 (2) Cr.P.C. He further contends that upon presentation of challan and supplying her the copies of the same, she was extended the interim bail subject to her furnishing the bail bonds in the sum of Rs.50,000/- with one surety in the like amount. The petitioner was released on personal bonds with a direction to furnish the bail bonds and surety bonds on the adjourned date i.e.12.09.2019. Thereafter, again the case was adjourned to 13.09.2019 for the same purpose, however, as the needful was not done, therefore, she was taken into custody. Learned counsel contends that the petitioner would submit the requisite bonds and has prayed for the concession of regular bail.

On the other hand, learned State counsel assisted by SI Jitender Singh opposed the bail application. However, it is not disputed that the petitioner was granted the concession of anticipatory bail vide order dated 29.04.2019.

After hearing learned counsel for the parties, this Court is of the opinion that trial of the case is likely to consume considerable time, further custody of the petitioner may not be justified. 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 concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

23.10.2019

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No