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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43194-2019

Date of Decision: 26.11.2019

Charanjit Kaur @ Charno

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

...

Manoj Bajaj, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in a case FIR No.254 dated 13.12.2018 under Section 22 of NDPS Act, 1985, registered at Police Station Maur, District Bathinda.

As per the case of prosecution, on 13.12.2018 at about 7:30 P.M., accused Charanjit Kaur @ Charno along with her husband Ranjit Singh @ Bunty was standing near Mansa road and was carrying a black coloured polythene bag. On checking the said polythene bag, 400 tablets of Carisoprodol, 100 tablets of AT-TWO 2 mg, one vial of Onerex and 3 vials of Wincirex were recovered.

Learned counsel for the petitioner contends that the petitioner was with her husband Ranjit Singh @ Bunty, who was also involved in other case and the alleged tablets and vials were shown to be in the hands of the petitioner. He submits that the wife (petitioner) might have held the medicines on the asking of her husband and, therefore, it cannot be said that she was in conscious possession of the alleged contraband. He submits that

the investigation of the case is complete and the petitioner is not involved in any other case, therefore, the concession of bail be extended to her.

On the other hand, learned State counsel assisted by SI Tarandeep Singh has opposed the prayer, however, it is not disputed that the petitioner is not involved in any other case. He submits that 2 witnesses out of total 9 witnesses have been examined. He contends that the petitioner was apprehended along with her husband at the time of recovery of the alleged contraband.

After hearing learned counsel for the parties, this Court is of the opinion that the trial of the case is likely to consume considerable time and keeping in view the custodial period of the petitioner, who is a lady, her further custody may not be justified. Resultantly, 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, Bathinda.

The petition is allowed.

26.11.2019
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No