

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

CRM-M-49276-2019(O&M)

Date of decision: 25.11.2019

Aman Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.S.K.Bansal, Advocate for the petitioner
Mr. S.P.S.Tinna, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

Petitioner-Aman Sharma wife of Jarnail Singh prays for bail pending trial in a criminal case arising from FIR No. 141 dated 6.8.2019 registered under Section 22 of the NDPS Act at Police Station Dhanaula, District Barnala, Punjab

As per the case of the prosecution, petitioner alongwith her husband-Jarnail Singh was present in the house and when search was carried out, 17 strips of intoxicating tablets namely Tramadol Clovidol SR-100, each strip containing 10 tablets were found.

Learned counsel for the petitioner contends that petitioner has a minor child aged 4 years and she is in custody since 3 months and 17 days. He further submits that petitioner-Aman Sharma is not involved in any other case under the NDPS Act.

On the other hand, learned State counsel on instructions from ASI Jasbir Singh has submitted that since the recovery is from the house, therefore, the petitioner and her husband would be deemed to be in conscious possession of the intoxicating tablets. He further submits

that since report from the FSL has not been received, final

report could not be filed.

Petitioner is in judicial custody now.

Keeping in view the facts of the case and without commenting on the merits of the case, it is considered appropriate to release the petitioner on regular bail on her furnishing fresh bail and surety bonds to the satisfaction of the concerned Trial Court/Duty Magistrate.

Petition stands allowed.

25.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No