

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-486-2020

Date of Decision: 14.01.2020

Paramjeet Kaur

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Digvijay Nagpal, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, Asstt. A.G, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.133 dated 25.08.2019, under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Arniwala, Tehsil Jalalabad, District Fazilka (Punjab). She is in custody since her arrest on 25.08.2019.

The case of the prosecution is that on 25.08.2019, when the police party reached near pipe factory T-point sahi wala during patrolling, a person on white colour scooty with one lady, who was sitting on rear seat, were going towards village Satiya. On seeing the car of the police, they tried to take U turn, but scooty slipped on the kacha path and then ASI caught them. On asking, they disclosed their names as Raja Singh @ Raja and Paramjeet Kaur. Upon search, 1000 tablets containing the salt tramadol were recovered from the polythene bag lying in the compartment of the scooty.

Learned counsel for the petitioner contends that the alleged

recovery was effected from two wheeler bearing No.PB22V4047, which was being driven by Raja Singh @ Raju (husband of the petitioner). He contends that the husband of the petitioner is involved in 4 other cases and merely because the wife was accompanying the husband on this occasion, it cannot be said that she was in conscious possession of the alleged contraband. He submits that the petitioner is confined in judicial custody and may not be required for any investigation.

On the other hand, learned State counsel on instructions from HC Bhajan Das has opposed the prayer, however he does not dispute this fact that the vehicle bearing No.PB22V4047 was owned by the husband of the petitioner, who is involved in other cases as well.

In view of the above, considering the custody of the petitioner, who is a lady, this Court is of the opinion that her further detention may not be necessary. 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 Fazilka.

The petition is allowed.

14.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No