

Sr. No. 201

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

CRM-M-664 of 2020 (O&M)

Date of Decision: 17.06.2020

Sukhwinder Kaur @ Shabi

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Rahul Bhargava, Advocate
For the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

ARUN MONGA, J. (ORAL)

1. The petitioner is seeking regular bail in FIR No. 25 dated 20.03.2018 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Majitha, Amritsar.

2. As per prosecution allegations, pursuant to a secret information a raid was conducted and 480 tablets of Alprazolam were recovered.

3. Learned counsel for the petitioner submits that it is too harsh a case for the petitioner to be kept in custody since 29.07.2019 against alleged recovery of 100.08 grams of Alprazolam (480 tablets). He submits that it is mainly because of the past default of the petitioner of having jumped the interim bail due to her peculiar circumstances that she is suffering the denial of bail, as noticed by learned Sessions Court while rejecting her bail petition. He further submits that petitioner is about 50 years old and is a house wife having three daughters and husband. He further submits that alleged quantity of contraband is marginally above the commercial quantity by 08 milligrams and,

therefore, in the totality of circumstances petitioner deserves the concession of bail.

4. On a query of Court, learned State counsel submits that interrogation in the FIR in question is over and challan has already been filed. He further submits that trial of the case is yet to commence and may get delayed due to current scenario caused by pandemic.

5. Having heard learned counsel for petitioner as well as learned State counsel, this Court is of the view that since no custodial interrogation is required and challan has already been filed and alleged quantity of contraband is also marginally above the commercial quantity, therefore, the petitioner ought to be granted the concession of bail.

6. In the premise, petitioner is directed to be released on bail on furnishing personal bond as well as adequate surety, to ensure that she does not jump the conditions of bail, given her past antecedents, to the satisfaction of Chief Judicial Magistrate/ Duty Magistrate, as the case may be

7. The petition stands allowed accordingly.

(ARUN MONGA)
JUDGE

17.06.2020
Jiten

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No