

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

CRM-M No.5894 of 2020

Date of Decision : 16.03.2020

Paramjit Kaur @ Komal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Ms. Arti Kaur, Advocate
for the Petitioner.

Mr. Avtar S. Sandhu, Addl. Advocate General, Punjab
assisted by ASI Amarjit Singh
for the Respondent/State.

SUDIP AHLUWALIA, J. (ORAL)

The instant Petition has been filed under Section 438 of the Code of Criminal Procedure seeking Anticipatory Bail in case FIR No.02, dated 22.01.2020, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act'), at Police Station Balachaur, District SBS Nagar.

2. It is submitted by Ld. Counsel for the Petitioner that no recovery was directly effected from the Petitioner and that the only available material against her is the Disclosure Statement of a co-accused from whom the recovery was allegedly effected.

3. The bail is nevertheless opposed on behalf of the State on the ground that the Petitioner is involved in other cases of the NDPS

Act and also convicted in two cases.

4. Be that as it may, in view of the fact that no admissible material has been forthcoming against the Petitioner, so far, in the present case, coupled with the fact that her conviction in other two cases has been invariably for carrying the contraband, below the non-commercial quantity and that she is a woman, in the opinion of this Court, she is entitled to the concession of interim bail.

5. In the circumstances, in the event of arrest, Petitioner is ordered to be released on bail to the satisfaction of the Arresting Officer till submission of report under Section 173 Cr.P.C. (Challan). She shall continue to join investigation and shall furnish an undertaking that she shall abide by the conditions specified under Section 438(2) Cr.P.C.. Thereafter, the Petitioner will be permitted to furnish bail bonds to the satisfaction of the Ld. Trial Court.

March 16, 2020
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No