

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

209

CRM-M-8460-2020.

Date of Decision: 05.11.2020.

Arashdeep Kaur @ Arash

....Petitioner.

Versus

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Kushaldeep S. Sandhu, Advocate for the petitioner.

Mr. P.S. Walia, Assistant Advocate General, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

This petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-**Arashdeep Kaur @ Arash** in case FIR No.239 dated 16.11.2019 under Sections 21 and 25 of NDPS Act, registered at Police Station City Jagraon, District Ludhiana, Rural.

Reply by way of affidavit of Dilbagh Singh, DSP(D) District Ludhiana (Rural), filed on behalf of respondent-State, is taken on record.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further submits that allegedly petitioner is party to the first episode dated 16.11.2019 wherein contraband (heroin) weighing 60 grams was recovered. He further submits that abovesaid contraband falls under “non-commercial quantity”. He further submits that petitioner is in custody since 16.11.2019 and she is no more required by the Police for any investigation purpose. He further submits that challan has already been presented in the Court and trial

has commenced. He further urges that since trial of the case would take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and she may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties and have carefully gone through the record.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that petitioner is in custody since 16.11.2019; that petitioner is no more required by the Investigating Agency for investigation purpose; that challan has already been presented in the Court and trial has commenced and since trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, she deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- **Arashdeep Kaur @ Arash** is allowed and she is ordered to be released on bail on her furnishing personal/surety bonds to the satisfaction of Trial Court/ Chief Judicial Magistrate/Duty Magistrate, Ludhiana, as the case may be.

(LALIT BATRA)
JUDGE

05.11.2020

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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No