

IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

SANJIV KUMAR SHARMA
2020/10/12 19:12
I attest to the accuracy and
authenticity of this document

CRM-M-8464-2020

Date of decision : 12.10.2020

Harjeet Kaur

..... Petitioner (s)

Versus

State of Punjab

..... Respondent (s)

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Munish Verma, Advocate
for petitioner.
Mr. S.P.S. Tinna, Additional A.G. Punjab.

-.-

-.-

HARINDER SINGH SIDHU, J.

The case is taken up through video conferencing on account of COVID 2019.

This is a petition filed under Section 439 Cr.P.C. for grant of bail in case FIR No. 58, dated 27.6.2019, registered under Sections 18 and 29 of NDPS Act, 1985, and under Sections 25, 27 of Arms Act, 1959, at Police Station Special Task Force, STF Wing, Phase-IV, SAS Nagar (Punjab).

As per FIR, a secret information was received that Major Singh and Harjeet Kaur (petitioner) who is relative of Major Singh are in business of selling opium illegally. It was also informed that Major Singh had kept illegal arms and ammunition. Both of them are travelling in a Swift Dzire car No. PB29W6300. A naka was laid. Petitioner alongwith co accused Major Singh was apprehended while travelling in said car. On search, they found plastic polythene beneath driver seat which contained 5 kg. 500 grams opium.

Learned counsel for petitioner states that petitioner has no concern with plastic polythene containing opium. She is a widow. She has three children. One son is settled in Italy and two daughters who are married. One daughter of petitioner is on her family way. He states that co accused Major Singh is a friend of deceased husband of petitioner. She was going alongwith Major Singh to meet her daughter who was on her family way. There is no other case pending against petitioner. She was wholly unaware about contraband in car.

Petitioner is in custody since 1.7.2019. The investigation of this case is complete and challan has been filed. The trial of case has not made any headway. Now, case has been fixed for consideration of charge.

Without commenting anything on merit of case and also bearing in mind the fact that trial of case may take a long time, no useful purpose will be served by detaining petitioner behind bars till the conclusion of trial. Accordingly, petition is allowed. Petitioner Harjeet Kaur is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate Ludhiana.

(HARINDER SINGH SIDHU)
JUDGE

12.10.2020
sjks

Whether reasoned order : Yes / No
Whether reportable : Yes / No