

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

CRM-M-9054-2020

Date of Decision:-20.5.2020

REKHA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. K.P.S. Virk, Advocate
for the petitioner.

Mr. Sandeep Vermani, Addl. A.G. Punjab.

*(the aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in Virtual Court)*

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in a case registered against her vide FIR No.154 dated 13.12.2019 under Sections 18, 25, 29 of NDPS Act at Police Station City Tapa Mandi, District Barnala.
2. The allegation as per the case of prosecution are that a secret information was received to the effect that Amarjeet Singh and Jagsir Singh indulge in sale of 'opium' in State of Punjab. Pursuant to the receipt of aforesaid information a raid was conducted at the nominated place and the accused Amarjeet and Jagsir were apprehended and from whose possession 6 Kgs. of 'opium' was recovered. It is further case of prosecution that during the course of interrogation Amarjeet disclosed that he had brought the 'opium' from one Lakhbir Singh. It is further the case of prosecution that thereafter

aforesaid Lakhbir Singh was arrested and from whose possession 100 grams of opium' was recovered. It is also the case of prosecution that another disclosure statement was made by accused Lakhbir Singh that the petitioner-Rekha was also associated with him.

3. Learned counsel for the petitioner has submitted that the petitioner was never arrested at the spot nor any recovery was effected from her.
4. Opposing the petition, learned State counsel has submitted that since one of the co-accused has specifically nominated the petitioner as an accused his complicity is evident. It has however been informed that she is not involved in any other case.
5. Having regard to the aforesaid facts and circumstances and especially the fact that the petitioner was never arrested at the spot and she is not involved in any other case, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and it is ordered that the petitioner in the event of her arrest shall be released on bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C. bail.

(GURVINDER SINGH GILL)
JUDGE

20.5.2020
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No