

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

CRM-M No.11974 of 2020
Date of decision: 5th May, 2020

Gejo Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Pardeep K. Kapila, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

The matter has been taken up through video-conferencing on account of lockdown due to outbreak of pandemic COVID-19.

Mr. H.S. Grewal, Addl. Advocate General, Punjab puts in appearance on behalf of the State on his own.

Allegations against the petitioner Gejo Kaur in this first anticipatory bail application filed under Section 438 Cr.P.C. in case bearing FIR No.71 dated 18.03.2020 under Sections 21/29 of Narcotic Drugs and Psychotropic Substances Act, 1985 pertaining to Police Station Sunam, District Sangrur, are that 8 grams of Heroin was recovered by the police from one Manpreet Kaur on 18.03.2020 and during the course of interrogation she named the present petitioner being the supplier of the contraband.

Learned counsel for the petitioner Mr. Pardeep Kumar Kapila, Advocate inter alia contends that the recovery has already been effected from the co-accused and there is nothing to connect the petitioner with commission of the offence.

On behalf of the State, Mr. H.S. Grewal, Addl. Advocate General, Punjab on instructions from ASI Mahipal Singh has not controverted the facts brought before this Court but has stoutly opposed the grant of bail on the premise that the petitioner is supplier of the contraband and even subsequently a case has been registered against her.

Appreciating the submissions of the two sides, admittedly the recovery has already been effected. Learned State counsel could not bring to the notice of this Court any tangible evidence to connect the petitioner with commission of the offence. In view thereof, this Court is of the opinion that petitioner's joining the investigations would suffice the purpose. Accordingly, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on her doing so she shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 Cr.P.C. (challan). The petitioner 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, she will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

May 5, 2020

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No