

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CrI. Misc. No. M-19149 of 2020
Date of Decision: August 05, 2020

Seema Kaur

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. D.N. Ganeriwala, Advocate
for the petitioner

Mr. Harbir Sandhu, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 59 dated 19.03.2020 registered under Section 22 of the NDPS Act, 1985 at Police Station Nabha, District Patiala.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. This is evident from the fact that an earlier FIR No. 03 dated 04.01.2020 also under Section 22 of the NDPS Act, 1985 was registered against her at the same Police Station in which the petitioner was granted regular bail and was released from custody on 14.03.2020. Within six days thereafter, the present FIR has been registered and recovery of commercial quantity of narcotic substance has been shown. The complainant in both these FIRs is ASI Panjab Singh as is evident from order dated 09.03.2020 (Annexure P-5) passed in the earlier FIR registered against the petitioner.

Custody certificate dated 04.08.2020 of Deputy Superintendent, New District Jail, Nabha has been placed on record. According to this custody certificate, the petitioner has undergone actual custody of 4 months and 13 days

and there is one more FIR registered against her.

The other pending FIR is FIR No. 03 dated 04.01.2020 in which non-commercial quantity was allegedly recovered from the petitioner. The trial Court granted her regular bail vide order dated 09.03.2020 (Annexure P-5) and she was released from custody on 14.03.2020. The present FIR is dated 19.03.2020. The complainant in both the cases is ASI Panjab Singh and, thus, false implication can not be ruled out. In view of the above, I deem it appropriate to grant regular bail to the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

August 05, 2020

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[SUDHIR MITTAL]

JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No