

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.18960 of 2020 (O&M)
Date of Decision.04.08.2020
(Heard through VC)

Manjit Kaur

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Siddharth Gupta, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

This is a petition that has been filed for grant of regular bail in case FIR No.0045 dated 24.04.2020 registered under Section 22 of NDPS Act, 1985 (offence under Section 29 of NDPS Act added later on) registered at Police Station Sadar Rampura, District Bathinda.

Counsel for the petitioner herein would argue that the petitioner has been nominated in the instant FIR on the basis of statement given by a co-accused, while submitting that the petitioner be released on interim bail since the FSL report is awaited. In support of his argument, counsel for the petitioner relies upon judgment rendered in **Inderjeet Singh @ Laddi and others vs. State of Punjab, 2014(3) RCR (Criminal) 953**. He further relies upon the orders passed by this Court in CRM-M No.3523 of 2020 dated 03.02.2020 and CRM-M No.48992 of 2019 dated 03.02.2020 wherein persons apprehended with 700 and 900 intoxicant tablets have been allowed bail.

Learned counsel appearing for the respondent-State opposes the

regular bail while submitting that on the statement made by the co-accused, there was a recovery of 500 tablets from the petitioner, however, she does not dispute the fact that FSL report is still not made available.

I have heard learned counsel for the parties.

In view of the judgment rendered in **Inderjeet Singh @ Laddi and others vs. State of Punjab** (supra) and the fact that the petitioner herein has been in custody since 21.04.2020 and that FSL report is still awaited and the trial will commence only after receipt of the FSL report, no useful purpose would be served in keeping the petitioner behind bars. At this stage, without commenting on the merits of the case, the instant petition is disposed of and the petitioner is directed to be released on interim regular bail on execution of adequate personal bond and surety bond to the satisfaction of concerned trial Court/Duty Magistrate, till the FSL report is received. The petitioner shall submit an undertaking before the trial court/Duty Magistrate along with her bail/surety bonds that she will surrender before the trial court on receiving the FSL report. However, it will be open for the prosecution to apply for cancellation of bail, if the petitioner is found misusing the concession of bail, in any manner.

(JAISHREE THAKUR)
JUDGE

August 04, 2020
Pankaj*

Whether speaking/reasoned Yes/No

Whether reportable Yes/No