

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

**CRM-M No. 21805 of 2020 (O&M)
Date of decision: 13.10.2020.**

Baljinder Kaur @ Manjeet Kaur @ Meeta Petitioner.

Versus

State of Punjab Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Vidit Bansal, Advocate, for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab, for the respondent-State.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No. 62 dated 01.07.2018, under Sections 21, 22, 29 and 30 of the Narcotic Drugs and Psychotropic Substances Act, 1985 ('NDPS Act' - for short), registered at Police Station Sadar Banga, District Nawanshahar (Shaheed Bhagat Singh Nagar).

Learned counsel for the petitioner *inter alia* contends that the allegations against the petitioner are that 50 grams of heroin (non-commercial quantity) was allegedly recovered from her. She is in custody for over two years, i.e. since the date of her arrest on 01.07.2018. He also contends that only one more case bearing FIR No. 173 of 2018 registered at Police Station Phillaur under the NDPS Act is pending against the petitioner wherein no recovery was effected from her and she was arraigned as an accused on the statement of co-accused from whom recovery had been effected. He has

referred to the copy of the order passed by a Coordinate Bench of this Court in CRM-M No. 13864 of 2019 on 24.05.2019 whereby she was granted regular bail in that case. He also contends that the petitioner is a widow and her son is suffering from depression. He further contends that the trial has come to standstill due to Covid-19 pandemic.

Learned State counsel contends that another case under the NDPS Act is pending against the petitioner while she has been convicted in a case under the Prisons Act, 1894. He, however, contends that the petitioner is in custody for two years and three months.

In view of the submissions of learned counsel for the petitioner, especially when the petitioner is a lady, recovery is of non-commercial quantity, she is in custody for over two years and three months, Covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

Pending application, if any, shall also stand disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

13.10.2020
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No