

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

**CRM-M No.23149 of 2020 (O&M)
Date of Decision: 09.09.2020**

Sarpreet Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Ms. Manpreet Ghuman, Advocate for the petitioner.

Mr. P.S.Walia, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail to the petitioner in case FIR No.46 dated 15.05.2020, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Sections 25/29, NDPS Act added later on), registered at Police Station Kot Ise Khan, District Moga.

Contends that petitioner is rendering services only in the Temple, namely, Mata Vaishno Devi Shakti Mandir (Regd.), Village Bal, Tehsil Zira, District Ferozepur and she has no role at all regarding the alleged recovery of contraband in the present case. Also contends that there is no other criminal case pending against the petitioner and she has been falsely implicated on the basis of disclosure made by the co-accused.

On the other hand, learned State Counsel, on instructions from the police official concerned, opposed the bail application and submitted that the

Car, from which the alleged contraband was recovered, belongs to the petitioner.

Heard learned Counsel for the parties and perused the paper-book.

Undisputedly, petitioner is the registered owner of the Etios Car bearing registration No.PB-05-Z-7576 from which, 20,000 intoxicating tablets were recovered on 15.05.2020. No doubt, petitioner is not named in the FIR, but the fact remains that her Car was used for carrying the contraband, thus, custodial interrogation of the petitioner would be very much necessary to find out the truth of such heavy recovery.

In view of the above, this Court has no option except to dismiss the present petition.

Ordered accordingly.

The above observations may not be construed as an expression of opinion on merits of the case.

September 09, 2020
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No