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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24734-2020

Date of Decision: 15.12.2020

Binder Kaur @ Mandeep Kaur @ Kali

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, AAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.116 dated 17.07.2019 registered under Section 22 NDPS Act, 1985, at Police Station Kotbhai, District Sri Muktsar Sahib. The petitioner is in custody since his arrest on 17.07.2019

As per prosecution case, the petitioner was found in conscious possession of 250 tablets of Prozolam-0.5 and 2450 tablets of Clovidol-100 SR containing Tramadol Hydrochloride.

Learned counsel for the petitioner contends that the charges in the present case were framed on 09.12.2019 and till date, no prosecution witness has been examined. He submits that the petitioner is not involved in any other similar case, therefore, her further custody may not justified and prays for regular bail.

On the other hand, learned State counsel, assisted by ASI Ram

Singh, has opposed the prayer on the ground that recovered contraband falls

in commercial quantity and as per custody certificate dated 10.11.2020 by way of affidavit of Rahul Raja, PPS, Deputy Superintendent, Central Jail, Bathinda, the petitioner is not involved in any other case. He, on instructions further states that out of total 14 prosecution witnesses, no one has been examined so far.

After hearing the learned counsel for the parties, this Court finds that the investigation of the case is complete and the trial is likely to take some time to conclude. This Court is cognizant of the fact that the outbreak of pandemic COVID-19 in the region may further delay the conclusion of trial. Admittedly, the petitioner is presently confined in judicial custody since 17.07.2019, therefore, her further detention may not be necessary for any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Sri Muktsar Sahib.

The petition is allowed.

15.12.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes	No
Yes	No