

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-25533-2020(O&M)

Date of Decision: 04.09.2020

Guddi Kaur

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. F.S. Virk, Advocate for the petitioner.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Petitioner seeks benefit of regular bail pending trial in case FIR No.330 dated 30.6.2020 under section 22 of N.D.P.S Act registered at Police Station, City Barnala, District Barnala.

Counsel for the parties have been heard.

As per prosecution version, 93 strips containing 10 tablets each of certain intoxicant tablets are stated to have been effected from the present petitioner.

Petitioner has been in custody since 30.6.2020.

Learned State counsel upon instructions from ASI Jarnail Singh would apprise the Court that till date report of the Chemical Examiner has not been received.

As such, without the report of the Chemical Examiner, the question as to whether offence under N.D.P.S Act is made out or not would

still be open.

Petitioner is not stated to be involved in any other case under the N.D.P.S Act.

Petitioner is a lady with a minor child.

Under such peculiar circumstances, petitioner is held entitled to the concession of interim bail. In taking such view this Court would draw support from a Division Bench judgement of this Court in ***Inderjeet Singh @ Laddi and others Vs. State of Punjab, 2014(3) RCR (Criminal), 953.***

Petitioner be enlarged on interim bail subject to satisfaction of Trial Court/Duty Magistrate concerned.

It is, however, observed that, if, upon receipt of report of Chemical Examiner the alleged recovery makes out an offence under the N.D.P.S Act, petitioner shall be taken into custody forthwith.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

04.09.2020

lucky	Whether speaking/reasoned:	Yes/No
	Whether Reportable:	Yes/No