

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

**CRM-M No.25890 of 2020
Date of Decision :03.09.2020**

Jasvir Kaur @ Birran

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present: Mr.Mikhail Kad, Advocate for the petitioner.
Mr. P.S.Walia, AAG. Punjab.
(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Petitioner prays for an anticipatory bail under Section 438 of Cr.P.C. in FIR No.235, dated 02.07.2020, under Section 21/29 of NDPS Act 1985, registered at Police Station Sadar Dhuri, District Sangrur.

In brief, the case of the prosecution is that a secret information was received from a special informer that Amarjit Kaur wife of late Jasmail Singh is involved in selling chitta/heroin and Jasvir Kaur @ Bira (petitioner) supplies heroin to Amarjit Kaur. And, today also Amarjit Kaur would go to Kolseri, Bhullarheri on foot for selling heroin to her customers and if nakka is laid she can be apprehended leading to recovery of contraband. Accordingly, Amarjit Kaur was arrested and 6 gms and 5 mg of heroin was recovered from her possession.

Learned counsel for the petitioner submits that implication of

the petitioner is apparently false. For, she has been nominated as an accused merely on the disclosure statement of Amarjit Kaur, which in the absence of any corroborative evidence/material is inadmissible. Further, neither the petitioner was apprehended at the spot nor any recovery was caused from her person. Even otherwise, the quantity alleged to have been recovered from the possession of Amarjit Kaur is non commercial in nature. Further, the petitioner has neither been involved in any similar case in the past nor any such matter is pending against her.

Mr. P.S.Walia, AAG, Punjab, fairly points out that even the co-accused Amarjit Kaur has been enlarged on regular bail by the Court of Sessions on 18.07.2020.

In the given circumstances, the petition is accepted. In the event of arrest the petitioner shall be released on bail subject to furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, she shall join the investigation as and when required and shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

(ARUN PALLI)
JUDGE

03.09.2020

Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No