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

**CRM-M No.26812 of 2019(O&M)  
Date of Decision: .18.12.2020**

**MALKIAT KAUR @ KEEPO**

**.....Petitioner**

**Vs**

**STATE OF PUNJAB**

**.....Respondent**

**CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH***

Present:Mr. K.S. Dadwal, Advocate  
for the petitioner.

Mr. Sarabjit Singh, Asstt. A.G., Punjab.

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**RAJ MOHAN SINGH, J.(Oral)**

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail in her second attempt under Section 439 Cr.P.C in case bearing FIR No.144 dated 21.10.2018, registered under Sections 21 & 22 of the NDPS Act and Section 25 of the Arms Act at Police Station Kot Ise Khan, District Moga.

Petitioner along with her son was arrested in the aforesaid case when their car was stopped by the Police party.

Petitioner was sitting next to her son in the car. Personal search

of Satnam Singh @ Nishan Singh resulted in one 32 bore country-made pistol with two live cartridges. Search of the petitioner resulted in recovery of 8 grams of heroin and 250 grams of intoxicant power besides recovery of currency notes of Rs.4,000/- in her personal search. As per FSL report, the intoxicant power was found to be Alprazolam.

Learned counsel for the petitioner submitted that Satnam Singh @ Nishan Singh has already been granted regular bail by this Court vide order dated 04.04.2019 passed in CRM-M No.61733 of 2018. In the fard recovery Heroin and intoxicant powder and Farad recovery memo of Rs.4,000/-, FIR number has been recorded at the top of the documents which shows that the documents have been manipulated at some convenient place and the same have been prepared only after registration of the case and not at the spot, when the petitioner was apprehended.

Petitioner is a lady and is in custody since 25.10.2018. Petitioner was granted indulgence by this Court for interim bail vide order dated 19.11.2020 for a period of two weeks in order to attend Bhog ceremony of her husband. She has surrendered thereafter.

On 16.12.2020, learned State counsel sought time to file latest custody certificate of the petitioner. Though the petitioner is shown to have been involved in other NDPS cases,

but she is on bail. The complicity of the petitioner would remain debatable.

At this stage, keeping in view the facts and circumstances of the case, the period for which the petitioner remained in custody and due to the situation arising out of COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

December 18, 2020

*Atik*

Whether speaking/reasoned

Whether reportable

**(RAJ MOHAN SINGH)  
JUDGE**

Yes/No

Yes/No