

CRM-M-29027-2020 (O&M)

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

**CRM-M-29027-2020 (O&M).
Decided on: February 05, 2020.**

Gulshan Kaur

.. Petitioner

VERSUS

State of Punjab

.. Respondent

*** * ***

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

*** * ***

**PRESENT Mr.Paramjit Singh Bal, Advocate,
for the petitioner.**

Mr.Ajay Pal Singh Gill, DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 439 of the Code of Criminal Procedure (for short the 'Cr.P.C.'), for the grant of regular bail in FIR No.47 dated 24.05.2019, under Sections 21, 25, 29 and 31 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station, Sadar Nawanshahar, District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner has, inter alia,

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submitted that in the present case the petitioner was not named however, he has been nominated on the basis of disclosure statement of Nirmal Dass. He has further submitted that the petitioner is in custody since 25.5.2019 and investigation in the present case is complete and challan has also been presented.

Learned State counsel, on instructions from the police official assisting him, states that as per the affidavit which has been filed by Mr.Harneel Singh, Deputy Superintendent of Police, Sub Division, Nawanshahar, the petitioner was nominated on the basis of disclosure statement made by one Nirmal Dass and as per the disclosure statement said Nirmal Dass had stated that the contraband was sent by the petitioner.

In response, the learned counsel for the petitioner states that there is no exchange of money with the petitioner and that the petitioner has been nominated with mala fide intentions in view of the fact that earlier she had made complaints against the police officers with regard to the same and therefore, she has been involved in this case. Learned counsel for the petitioner has further submitted that the petitioner is also facing other FIRs which have been mentioned in the affidavit but the same were also planted against her in view of the fact that she had made allegations against the police officers.

Be that as it may, the fact remains that the petitioner was nominated on the basis of disclosure statement and as per the disclosure statement which has been reproduced in the affidavit itself, the role attributed to the petitioner is that contraband was sent by the petitioner.

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After hearing the learned counsel for the parties and perusing the record as well as considering the totality of the circumstances of the present case that the petitioner was nominated on the basis of disclosure statement and the investigation in the case is complete nd challan has also been presented, I deem it fit to admit the petitioner on regular bail. Consequently, the petition is allowed. It is ordered that the petitioner shall be released on bail on her furnishing bail bond/surety bond to the satisfaction of the trial Court.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant only for the purpose of decision of present petition.

February 05, 2020.	(JASGURPREET SINGH PURI)
raj arora	JUDGE
Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No