

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

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CRM-M-34672-2020

Date of Decision:03.11.2020

JASSI

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Rishu Garg, Advocate
for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

Present petition under Section 439 Cr.P.C is for grant of regular bail to petitioner-Jassi in case F.I.R. No.183 dated 23.07.2020 under Sections 22 and 29 of NDPS Act, registered at Police Station Civil Lines, Patiala, District Patiala.

Learned counsel for the petitioner *inter alia* contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that petitioner has been arrayed as accused on the disclosure statement of co-accused Kuldeep Singh, who was allegedly arrested on the spot with contraband. He further submits that even otherwise contraband i.e.119 tablets of Tramadol Hydrochloride each tablet weighing 409 mgs. (total weighing 48 grams) allegedly recovered from the possession of petitioner falls under “non-commercial quantity”. He further submits that petitioner is in custody since 05.08.2020 and she is no more required by the Police for any investigation purpose. He further submits that since presentation of challan and consequent trial would

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take sufficient time to conclude, no useful purpose would be served by keeping the petitioner in custody further and she may be released on bail.

On the other hand, learned State counsel while opposing instant petition has vehemently argued that keeping in view seriousness of offence, petitioner does not deserve the concession of bail.

I have heard learned counsel for the parties.

At this stage, without commenting anything on the merits of the case lest it may prejudice the outcome of the trial but taking into consideration the fact that allegedly contraband weighing 48 grams i.e “non-commercial quantity” was recovered from the petitioner; that petitioner is in custody since 05.08.2020 and that presentation of challan and consequent trial of the case would take sufficient time to conclude, no useful purpose would be served by detaining the petitioner in custody further, thus, she deserves the concession of bail.

In view of above, instant petition for grant of regular bail moved by petitioner- Jassi is allowed and she is ordered to be released on bail on her furnishing personal/surety bonds to the satisfaction of Trial Court/Chief Judicial Magistrate/Duty Magistrate, Patiala, as the case may be.

(LALIT BATRA)
JUDGE

03.11.2020

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Whether speaking/reasoned : Yes
Whether reportable : No