

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
2020.01.29 16:49
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integrity of this document

Date of Decision: 28.01.2020
CRM-M-32713-2019 (O&M)

Tarsem Kaur @ Semo ... Petitioner
vs.
State of Punjab .. Respondent

CRM-M-32943-2019 (O&M)

Soma ... Petitioner
vs.
State of Punjab .. Respondent

CRM-M-32964-2019 (O&M)

Radhika ... Petitioner
vs.
State of Punjab .. Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Charanpreet Singh, Advocate, for the petitioner(s).

Mr. Rajesh Bhardwaj, Sr. Deputy Advocate General, Punjab.

VIVEK PURI, J.(ORAL)

CRM-40314-2019 in CRM-M-32713-2019
CRM-40374-2019 in CRM-M-32943-2019
CRM-40360-2019 in CRM-M-32964-2019

Prayer in these applications is for placing on record Annexures P-3
and P-4.

For the reasons stated in the applications, the same are allowed.
Annexures P-3 and P-4 are taken on record.

Main Case(s).

In all the three petitions, petitioners are seeking anticipatory bail in
case FIR No. 96 dated 04.07.2019 under Sections 21/29 of NDPS Act registered at
Police Station Nakodar (Sadar), District Jalandhar.

Briefly, the aforesaid FIR No. 96 dated 04.07.2019 was registered on
receipt of secret information against Gurwinder Kaur @ Gagan. Accordingly, a
naka was raised and 262 grams of heroin was recovered from her.

It has been stated by learned counsel for the petitioner(s) that during the course of interrogation of Gurwinder Kaur @ Gagan, the names of Lakhvir, Amir Ali and Kimti Lal had emerged, who are confined in jail. Subsequently, on the basis of disclosure statements of aforesaid three accused, the names of present petitioners have emerged and they have been nominated as accused.

Counsel for the petitioner(s) further contends that Gurwinder Kaur has been released on regular bail and no case under the NDPS Act is presently pending against any of the petitioners. It has also been stated that the petitioner(s) have joined the investigation in pursuance of the interim directions issued by this Court.

In terms of order dated 11.09.2019, the petitioners were granted interim bail.

Learned State counsel has not disputed the factual position.

Keeping in view the fact that no recovery has been effected from the petitioners; they have joined the investigation in pursuance of interim directions issued by this Court; Gurwinder Kaur (co-accused), from whom the recovery has been effected, has already been released on bail and the quantity of contraband recovered is marginally above the commercial quantity, sufficient exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioners. The petitions are allowed and order dated 11.09.2019, vide which the petitioners were granted interim bail, is made absolute.

Photocopy of this order be placed on the files of other connected cases.

(VIVEK PURI)
JUDGE

28.01.2020
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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No