

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

214

**CRM-M No.38331 of 2019 (O&M)
Date of Decision:- 04.02.2020**

Raveena Begum

...Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Gurminder Singh Salana, Advocate
for the petitioner.

Mr. Jagmohan Singh Ghumman, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.127 dated 02.11.2018, registered under Sections 15 of Narcotic Drugs and Psychotropic Substances Act at Police Station Amloh, District Fatehgarh Sahib.

As per allegations in the FIR, 55 Kgms of poppy husk was allegedly recovered from the petitioner. Learned counsel for the petitioner by relying upon **Shinda vs. State of Punjab, 2013(3) R.C.R. (Criminal) 557** and **Lakhwinder Singh @ Bittu**

vs. State of Punjab, 2012(22) R.C.R. (Criminal) 301 submitted that the alleged recovery was slightly more than the quantity prescribed for non-commercial category and therefore, petitioner needs to be granted regular bail.

Learned State counsel on instructions from ASI Harpal Singh however opposes the prayer and states that after filing of the challan, charges have been framed and even one of the prosecution witness has been examined in chief.

At this stage, since the recovered contraband is found to be marginally above than the prescribed limit of non-commercial quantity, therefore, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, the present petition is allowed and the petitioner is ordered to be enlarged on bail, subject to her furnishing adequate bail bonds/surety bonds to the satisfaction of the Trial Court/Duty Magistrate concerned.

Nothing expressed hereinabove shall be construed to be an opinion on merits of the case.

04.02.2020

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(Raj Mohan Singh)

Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No