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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-28380-2020 IN/AND
CRM-M-45902-2019
Decided on: 25.11.2020

Paramjeet Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. A.S. Brar, Advocate
for the applicant/petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM-28380-2020

Prayer in this application is for preponing the date fixed in
the main petition.

Heard.

For the reasons stated in the application, the same is
allowed and the main case which is fixed for 18.01.2021, is taken up
today for hearing.

MAIN CASE

Prayer in this petition is for grant of regular bail to the
petitioner under Section 439 of the Code of Criminal Procedure (in
short 'Cr.P.C.') in FIR No.173 dated 08.10.2018, for offence punishable
under Section 22 of the NDPS Act, registered at Police Station Nihal
Singh Wala, District Moga.

CASE HEARD THROUGH VIDEO CONFERENCING

Counsel for the petitioner has argued that the petitioner is an old lady aged about 62 years and she is not involved in any other case. It is further submitted that as per the allegations in the FIR, the police party stopped a scooter, on which 03 persons were riding, 02 young men and a lady i.e. the petitioner. The driver of the scooter was holding a polythene bag in his right hand and on seeing the police party, he has thrown the same. On asking of the police, the driver of the scooter informed his name as Bikramjeet Singh @ Vicky and the lady told her name as Paramjeet Kaur i.e. the petitioner and one person, who ran away was named as Satnam Singh.

Counsel for the petitioner has further submitted that as per the version in the FIR, 400 intoxicant tablets were recovered. It is also submitted that the petitioner is in custody from the last 01 year and 11 months and the trial is not proceeding and the petitioner being an old lady is suffering from multiple ailments.

Counsel for the State has not disputed the factual position but opposed the prayer for bail on the ground that the recovery is of commercial quantity.

Without commenting anything on merits of the case, considering the fact that the petitioner is an old lady aged 62 years; she is not involved in any other case; the custodial interrogation of the petitioner is not required and the conclusion of the trial will take some time due to COVID-19 situation, this petition is allowed and the petitioner is directed to be released on bail subject to her furnishing bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

CASE HEARD THROUGH VIDEO CONFERENCING

However, it will be open for the prosecution to apply for cancellation of bail of the petitioner, in case he is found involved in any other case or misusing the concession of bail, in any manner.

**(ARVIND SINGH SANGWAN)
JUDGE**

25.11.2020

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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No