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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.425 of 2021 (O&M)

Decided on: 12.01.2021

Angrej Kaur

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Deepak Kumar Grewal, DAG, Haryana.

ARVIND SINGH SANGWAN, J. (Oral)

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.259 dated 16.10.2020, for offence punishable under Sections 22-B of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act') registered at Police Station Kalanwali, District Sirsa.

Counsel for the petitioner submits that the petitioner is an old lady aged about 67 years and has no history of involvement in any other case under the NDPS Act. It is further submitted that as per the allegations in the FIR, the petitioner was apprehended on suspicion and 130 tablets of Tramadol was recovered from her. It is also submitted that the recovery would fall under the non-commercial quantity. Lastly, it is argued that challan stands presented without attaching the report of FSL and in view of the fact that the same is incomplete challan, the petitioner is otherwise entitled to default bail under Section 167(2)

CASE HEARD THROUGH VIDEO CONFERENCING

Cr.P.C.

Counsel for the State has not disputed the factual position that challan stands presented and charges have been framed. It is also not disputed that the petitioner is an old lady and is not involved in any other case.

Without commenting anything on merits of the case, considering the fact that the petitioner is an old lady aged 67 years; challan stands presented; charges have been framed; the petitioner 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.

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

(ARVIND SINGH SANGWAN)
JUDGE

12.01.2021

yakub

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No