

219

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.2919 of 2021(O&M)
Date of Decision: 31.03.2021

Raj Kaur
Vs
State of Punjab

.....Petitioner
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. M.K. Dhot, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up through video conferencing.

The petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.87 dated 27.09.2020 registered under Sections 22 and 29 of the NDPS Act at Police Station Dharamgarh, District Sangrur.

Learned counsel for the petitioner submits that the petitioner is wife of Pammi Singh who was arrested from the spot and 3 kg of poppy husk was allegedly recovered from him. The FIR was registered on the basis of secret information to the effect that the petitioner was also involved in procuring the poppy husk and her husband was involved in selling the same.

The allegation against the petitioner is under Section 29 of the NDPS Act. The alleged recovery from the husband of the petitioner is non-commercial in nature.

Notice of motion was issued on 22.01.2021 and arrest of the petitioner was also stayed.

In view aforesaid position, the present petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 07.04.2021 and in the event of her arrest, she shall be released on anticipatory bail on her furnishing adequate bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make herself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country,

without prior permission of the Court and shall
surrender her passport, if any.

31.03.2021

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No