

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-3237-2021 (O&M)

Date of Decision: January 29, 2021

Usha Golfrey Amka

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Garima Sharma, Advocate
for the petitioner.
Ms. Deepshikha Chauhan, AAG, Haryana.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 550 dated 19.08.2019, under Sections 21(b) and 27(A) NDPS Act registered at Police Station City Hansi .

Learned counsel for the petitioner contends that the petitioner herein was taken into custody in the aforesaid FIR on 20.08.2019 having been nominated on the basis of disclosure statement made by co-accused Gaurav and said main accused has already been granted regular bail by this Court in CRM-M-10885-2020 on 21.05.2020. It is further submitted that the challan stands presented, therefore, the custodial interrogation of the petitioner would no longer be required.

Per contra, learned counsel appearing on behalf of respondent-State, on instructions from ASI Rajbir Singh, opposes the grant of regular bail to the petitioner, while submitting that heavy recovery of heroin is

involved in the case, however, does not dispute the fact that the challan stands presented and there is no other case under the NDPS Act pending against the petitioner .

I have heard learned counsel for the parties.

In view of the facts that the trial is likely to take time to conclude and the petitioner herein has been in custody since 20.08.2019 having been nominated on the basis of disclosure statement of co-accused, coupled with the fact that the main accused has already been allowed bail and there being no other case under the NDPS Act pending against the petitioner and challan having already been filed, no useful purpose would be served in keeping the petitioner behind bars any longer. At this stage, without commenting on the merits of the case, the instant petition is allowed and the petitioner is directed to be released on bail on her furnishing adequate personal and surety bond to the satisfaction of concerned trial Court/Duty Magistrate. However, any observation made herein shall not be construed to be an expression on merits of the case.

January 29, 2021	(JAISHREE THAKUR)
<i>seema</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No