

CRM-M-7184-2021

Date of decision: 22.02.2021

JASWINDER KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. P.K.S.Phoolka, Advocate  
for the petitioner.

Mr. Sandeep Vermani, Additional Advocate General, Punjab.

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*(The case has been taken up through video conferencing on  
account of Covid-19 Pandemic)*

**VIVEK PURI,J. (ORAL)**

The petitioner is seeking regular bail in the case bearing FIR No. 61 dated 08.06.2020 under Section 22 of Narcotic Drugs & Psychotropic Substances Act. 1985, registered at Police Station Nandgarh, District Bathinda.

Briefly, as per the allegations of the prosecution, 2100 tablets of Tramadol Hydrochloride have been recovered from the conscious possession of the petitioner.

It has been argued by the learned counsel for the petitioner that the petitioner is a lady, who is in custody since 08.06.2020 and the co-accused, namely, Tarsem Singh has been granted pre-arrest bail.

On the contrary, it has been argued by the learned State counsel that the quantity of Tramadol Hydrochloride recovered from the possession of the petitioner is to the extent 862.6 grams which falls in the category of commercial quantity. Furthermore, the co-accused, namely, Tarsem Singh was not

In the case in hand, the quantity of contraband recovered from the conscious possession of the petitioner falls in the category of commercial quantity. As such, stringent provisions of Section 37 of the NDPS Act come into play. There is nothing to suggest that the petitioner has not committed offence and is not likely to commit the offence while on bail. Moreover, the case of the petitioner is not at par with Tarsem Singh co-accused as he was not apprehended at the spot and nothing has been recovered from him.

Keeping in view aforesaid circumstances, no ground is made out to extend the concession of bail to the petitioner.

In view of the above, the present petition is dismissed.

22.02.2021  
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**(VIVEK PURI)**  
**JUDGE**

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |