

110 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9772-2021
Date of Decision: 18.03.2021

KULJINDER KAUR

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Ashok Giri, Advocate for the petitioner
Mr.Sandeep Kumar, Deputy Advocate General, Punjab

Deepak Sibal, J. (Oral)

Case taken up through Video Conferencing.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.178 dated 19.11.2020 registered under Sections 21(b), 22(b), 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short – NDPS Act) at Police Station Nurmehal, District Jalandhar Rural.

Briefly stated, the case of the prosecution is that co-accused Baljeet Kaur @ Jeeta and Amandeep Singh were apprehended and from their possession 10 grams of heroin and 150 intoxicant tablets were recovered. Their interrogation revealed that the recovered narcotics had been purchased from the petitioner resulting in her nomination as an accused.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case; the only evidence against the

petitioner are the disclosure statements of the co-accused which have no evidentiary value and that the petitioner is ready and willing to join investigation as and when called by the investigating agency.

Learned State counsel who appears on advance notice submits that the petitioner is involved in five cases under the NDPS Act out of which she has been convicted in three of them. Thus, being a habitual offender as also because 10 grams of heroin and 150 intoxicant tablets have been supplied by her to the co-accused she does not deserve the concession of anticipatory bail.

The petitioner has been convicted thrice under the NDPS Act and that the investigation is still going on with regard to finding the source (s)/ supplier(s)/ customer(s) of the recovered narcotics alleged to have been supplied by the petitioner.

In view of the above the petitioner does not deserve to be granted the concession of anticipatory bail.

Dismissed.

It is clarified that the above observations have been made by this Court to decide the present petition seeking anticipatory bail in which investigation is still going on and therefore these observations be not construed as opinion on the merits of the case.

18.03.2021
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No