

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

CRM-M No.13277 of 2021
DECIDED ON:25th MARCH, 2021

Manpreet Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present:- Mr. Gurpal Singh Sandhu, Advocate
for the petitioner.

Ms. Bhavna Gupta, D.A.G., Punjab

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference
due to COVID-19 situation.

This is a petition filed under Section 439 Cr.P.C for grant of
regular bail to the petitioner in case FIR No.148 dated 04.12.2020
registered under Section 22 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 at Police Station Lakhewali, District Sri Muktsar
Sahib.

As per the version of FIR, the petitioner was apprehended by
the police party on 04.12.2020. She had thrown one transparent polythene
bag containing 780 tablets of *Tramadol Hydrochloride* on seeing the police
party.

Learned counsel for the petitioner submits that the petitioner is

a lady and has falsely been implicated in the case. He further submits that the petitioner is not involved in any other case. The challan stands presented and no recovery is to be made.

Learned State counsel, on instructions from Sub Inspector Shinder Singh, opposes the bail. The contention raised is that there is a recovery of 266.19 gms.

Albeit the recovery is commercial but it cannot be lose sight that it is just marginally above the commercial quantity. The petitioner is not involved in any other case of NDPS Act. Though the challan has been presented but conclusion of trial is likely to take time. No useful purpose would be served by keeping the petitioner behind bars, the petition is allowed and the petitioner is released on bail subject to her furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

It is clarified that nothing observed hereinabove shall be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

25th MARCH, 2021

gurpreet

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>