

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-13747-2021 (O&M)
Date of Decision:-23.8.2021

Swarno Bai ... Petitioner

Versus

State of Haryana ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. V.B.Godara, Advocate for the petitioner.

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Mahender Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.582 dated 7.12.2020 under Sections 21(b)/27-A of the NDPS Act at Police Station City Fatehabad, District Fatehabad.
2. As per the case of prosecution, one Joga Singh was found in possession of 6.05 grams of heroin in the area of Police Station Fatehabad. During the course of interrogation, he disclosed that the said contraband had been supplied to him by Swarno Bai (petitioner).
3. Learned counsel for the petitioner has submitted that the petitioner is nowhere named in the FIR and is sought to be nominated on the basis of a disclosure statement, which would hardly carry any evidentiary value.

4. Opposing the petition, learned State counsel has submitted that the petitioner happens to be involved in one more case under NDPS Act and that since she has been specifically named by the co-accused from whom contraband was recovered, her complicity is clearly evident. Learned State counsel, upon instructions from SI Mahender Singh, has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that her custodial interrogation is not required.
5. Having regard to the aforesaid facts and circumstances, particularly bearing in mind that the petitioner was never arrested at the spot and has been nominated on the basis of disclosure statement and has already joined investigation, the petition is accepted and the interim directions issued by this Court vide order dated 19.7.2021 are made absolute subject to condition that petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

23.8.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No