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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.17994 of 2021
Date of Decision: 06.07.2021**

SONA SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Ashok Paul Batra, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.21 dated 02.02.2021, registered under Sections 21/61/85 of the NDPS Act at Police Station STF, Phase-4, Mohali.

As per allegations in the FIR, the petitioner along with co-accused Chiranji Lal, Parveen Singh and Gurjant Singh were found preparing and packaging the contraband and were waiting for the customers. All the aforesaid accused were

apprehended by the Police alongwith 270 grams of heroin. Co-accused Gurjant Singh and Angrej Singh were far away from the aforesaid accused, but were present in close vicinity of place of recovery.

Learned counsel for the petitioner submitted that the alleged recovery of heroin is from the ground and the same is marginally in excess of the quantity prescribed for commercial category.

Learned counsel relied upon **Shinda vs. State of Punjab, 2013(3) R.C.R. (Criminal) 557** and **Lakhwinder Singh @ Bittu vs. State of Punjab, 2012(22) R.C.R. (Criminal) 301.**

Petitioner is in custody since 02.02.2021 and the co-accused Gurjant Singh has been granted anticipatory bail in CRM-M No.12996 of 2021.

Learned State counsel however opposed the bail on the ground that the recovery is of commercial category. FSL report has been received and the FIR was registered on the basis of secret information. Petitioner is not involved in any other case.

Looking to the quantity of the contraband recovered and the situation arising out due to COVID-19 pandemic, I deem it appropriate to enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to be an expression of opinion on merits of the case.

July 06, 2021	(RAJ MOHAN SINGH)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No