

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

211

CRM-M-17345-2021

DATE OF DECISION: 16.07.2021

KRISHNA DEVI

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioner is seeking regular bail in FIR No.49 dated 12.04.2020, under Sections 21 and 31 of the NDPS Act and Section 483 IPC, registered at Police Station STD Phase IV, SAS Nagar Mohali, District SAS Nagar Mohali.

Learned counsel for the petitioner contends that it is alleged that four accused including the petitioner were sitting on a polythene bag which contained 300 grams of heroin and Rs.5 lakh in cash. He, however, contends that prosecution story is improbable and in case recovery is divided even among the four accused, it would be less than the commercial quantity. The petitioner is a 50 year old lady and is in custody for over 1 year and 3 months. She is not involved in any other case under the NDPS Act.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for a period of 1 year and 3 months. He, upon instructions from SI Jagdev Singh, contends that charges have been framed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner is a lady, she is in custody for over 1 year and 3 months, she is not involved in any other case under the NDPS Act, the COVID-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

16.07.2021

SwarnjitS

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