

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

CRM-M-17923-2021 (O&M)

Date of Decision:-25.8.2021

Gurpreet Kaur

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.N. Gaveriwala, Advocate for the petitioner.

Mr. Vishal Kashyap, DAG, Haryana,
assisted by ASI Manish.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of interim bail till the receipt of report of FSL in FIR No.447 dated 30.12.2020 registered at Police Station City Mandi Dabwali, District Sirsa under Section 22(c) of Narcotic Drugs & Psychotropic Substances Act, 1985.
2. As per the case of prosecution, on 30.12.2020 when a police party was proceeding from City Dabwali towards Abubshahar for the purpose of patrolling, then two women were noticed standing at Bus Stand Shergarh while holding one polythene bag each. Upon noticing the police party, they

looked worried and started walking briskly while carrying their respective polythene bags. They were apprehended by the police. Upon inquiry they disclosed their names as Gurpreet Kaur (petitioner) wife of Sukhpal Singh and Manpreet Kaur wife of Sandeep Singh. Upon checking the bags carried by them, 980 tablets of 'Tramadol' were recovered from petitioner Gurpreet Kaur and 490 tablets of 'Tramadol' were recovered from co-accused Manpreet Kaur.

3. Learned counsel for the petitioner has submitted that although it has been a period of about 8 months ever since the petitioner was arrested by the police, the investigating agency till date has not filed the report of FSL, which is infact the foundation of the case in respect of alleged recovery of contraband. It has further been submitted that the petitioner is having a young child to look after and that further since co-accused, who was arrested alongwith the petitioner, has already been granted regular bail, the petitioner, in any case, deserves the concession of interim bail particularly when she is not even involved in any other case.
4. Opposing the petition, learned State counsel has submitted that since the quantity of contraband recovered is likely to fall in the category of commercial quantity, no case for grant of interim bail is made out. Learned State counsel has, however, admitted the fact that FSL report is still awaited despite a period of about 8 months having elapsed. Learned State counsel has also informed that the petitioner is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. Keeping in view that the petitioner is a lady and has been behind bars for a substantial period of about 8 months and has a clean record, the prayer made

on behalf of the petitioner for her release on interim bail till the receipt of report of FSL is accepted and the petitioner is ordered to be released on interim bail subject to her furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

7. The said bail shall be operative till the filing of report of FSL. Upon filing of report of FSL, the petitioner would be required to surrender before the Trial Court and the interim bail shall come to an end. It shall be the duty of the petitioner herself to keep a track and to remain in touch with the counsel so as to find out about the latest status of the report of FSL. It shall be open to the Court concerned to impose any such condition at the time of accepting bail bonds/surety bonds as may be deemed appropriate so as to ensure appearance of the petitioner as and when directed.
8. The petition stands disposed off accordingly.

25.8.2021

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No