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

**CRM-M No.18714 of 2021
Date of Decision:21.05.2021**

SARABJIT KAUR

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

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

Present:Mr. Gazi Mohd. Umair, 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.35 dated 12.02.2021, registered under Section 22 of (Act No.61) of Narcotic Drugs and Psychotropic Substances Act, 1985 and Section 29 added later on, at Police Station Civil Line Patiala, District Patiala.

The FIR was registered when co-accused Manminderjit Singh alias Monu was apprehended on the basis of suspicion.

Car of Manminderjit Singh was stopped by the Police. When

documents of the car were asked for, Manminderjit Singh opened the dashboard of the car and took out one black bag in which documents were kept. The zip of the bag was not in working condition. One plastic envelop of white colour fell from the bag in the lap of the driver/Manminderjit Singh. 1300 intoxicant tablets were recovered from the said bag.

Learned counsel for the petitioner submits that the petitioner was not occupant of the car. The alleged recovery was from the co-accused Manminderjit Singh. Petitioner has been nominated on the disclosure statement of Manminderjit Singh to the effect that Manminderjit Singh was going to deliver the said intoxicant tablets to the petitioner. Manminderjit Singh was having illicit relationship with petitioner and petitioner wanted to implicate her husband in some NDPS case. Petitioner is in custody since 13.02.2021. Factum of involvement of the petitioner on the basis of disclosure statement of co-accused Manminderjit Singh is not in dispute.

Learned State counsel, opposed the bail on the premise that huge recovery has been made from the co-accused Manminderjit Singh alias Monu.

Having heard, learned counsel for the parties, I find that the complicity of the petitioner on the basis of disclosure statement of co-accused would remain debatable. Petitioner is

in custody since 12.02.2021. Challan has not been presented so far. Petitioner is in judicial custody and is not required for any further investigation in the case.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, 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 her 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 any opinion on merits of the case.

21.05.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

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