

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.15621 of 2020
Date of Decision: August 17, 2021

Gurdev Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rishu Mahajan, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.94 dated 03.05.2020, under Section 22 N.D.P.S.Act, 1985, Section 188 IPC, 1860 and Section 51 (b) Disaster Management Act, 2005, registered at Police Station, Shahkot, District Jalandhar Rural, who is in custody since her arrest on 03.05.2020.

As per the FIR, on 03.05.2020, 900 intoxicant tablets were recovered from accused Gurdev Kaur and 3900 tablets were recovered from co-accused Sartaj Singh @ Ashu, while they were on motor cycle bearing registration No.PB08-DC-2744.

Learned counsel for the petitioner has argued that the trial is likely to consume considerable time to conclude as only one witness has been examined so far out of total eleven prosecution witnesses. He further submits that the petitioner is not involved in any other case of similar nature

and prays for bail.

On the other hand, the prayer is opposed by the learned State counsel, assisted by ASI Daljit Singh. However, he does not dispute this fact that the petitioner is not involved in any other case of similar nature.

After hearing the learned counsel for the parties, this court finds that the prosecution has examined only one witness and the petitioner is not involved in any other case, much less of similar nature, therefore, considering the above background and the custodial period of the petitioner, this Court is of the opinion that the further custody of the petitioner may not be necessary for any useful purpose, who is presently confined in judicial custody after her arrest on 03.05.2020. Further, the prosecution is yet to examine its remaining ten witnesses and it may take considerable time to conclude the trial. All the witnesses are police officials and there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Jalandhar.

August 17, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No