

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.19877 of 2021
Date of Decision : 19.07.2021

Ramandeep Kaur ...Petitioner

Versus

State of PunjabRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Ms. Manpreet Ghuman, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. A.G., Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.60 dated 03.04.2021 registered under Section 22, NDPS Act, 1985 at Police Station City-I, Sangrur to which offence under Section 29, NDPS Act was added later on.

3. On 21.05.2021, the following order was passed:-

“ Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Prayer in the petition under Section 438 Cr.P.C. is for grant of pre- arrest bail to the petitioner in case FIR No.60 dated 03.04.2021, registered under Section 22, NDPS Act, at Police Station City-1, Sangrur, to which offence under Section 29 of NDPS Act was added later on.

Learned counsel contends that the petitioner has been implicated in a false case on the basis of statement of her husband i.e. co-accused, Dharma Singh alias Dharma, who on his arrest along with one Chand Khan alias Chand, on 03.04.2021, was found in conscious possession of 27000 tablets of Alprasafe 0.5 having ingredients of Alprazolam, but during investigation on 06.04.2021, disclosed that his wife i.e. the petitioner had deposited money in the account of one Ram Ashra, who had sent the consignment of intoxicating tablets through courier, which had been received by Vicky, Sinder Kaur and Govinda and that apart from the disclosure statement, there was no other material against the petitioner, that the petitioner did not deposit any money in any bank account of Ram Ashra, she does not have any other criminal case registered against her, besides, she is ready and willing to join investigation and fully cooperate in the same.

Notice of motion.

Mr. Sukhbeer Singh, Asstt. A.G., Punjab, who had taken time on 19.05.2021 to obtain instructions, accepts notice on behalf of the respondent and on instructions from ASI, Kewal Krishan, states that there is no evidence available with regard to any money having been deposited by the petitioner in the account of Ram Ashra or of the involvement of the petitioner in the commission of the offence. He, however, requests for time to file reply.

Adjourned to 19.07.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to her furnishing bail/surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under

Section 438(2) Cr.P.C., failing which, the interim protection granted to her, shall stand vacated. ”

4. Today, learned State Counsel on instructions from *ASI Kewal Krishan* contends that pursuant to the order of this Court dated 21.05.2021, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that her custodial interrogation is not required.

5. In view of the statement of learned State Counsel, order dated 21.05.2021, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be construed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

(B.S. Walia)
Judge

19.07.2021

'Rajneesh/Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>