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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.20309 of 2021
Date of Decision:29.06.2021

CHHINDER KAUR

.....Petitioner

Vs

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Aditya Sanghi, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail in his second attempt under Section 439 Cr.P.C in case bearing FIR No.320 dated 22.10.2015 under Sections 21, 22, 27-A, 61 and 85 of NDPS Act at Police Station City Mandi, Dabwali.

CRM-M No.28146 of 2020 was dismissed vide order dated 15.03.2021, even after noticing the fact that interim order was passed in favour of the petitioner to join the investigation in CRM-M No.79 of 2016, but she did not cooperate in the investigation and resultantly the said petition was dismissed on 19.08.2016. Thereafter, presence of the petitioner could not be

secured despite best efforts made by the Police. In the short reply filed by way of affidavit of Kuldeep Beniwal, Deputy Superintendent of Police, Dabwali, the Police has narrated each and every effort made by the Police to secure the presence of the petitioner. Petitioner ultimately surrender on 29.07.2020 and since then she is in custody. Original challan has already been submitted against Lakhwinder Singh @ Pinder and Sukhwinder Singh @ Mander Singh and the trial has reached the stage of examination of PWs. 9 prosecution witnesses have already been examined out of 14 prosecution witnesses. So far petitioner is concerned, the trial has not commenced so far. There is no change in the circumstance. Since the petitioner has flouted the concession of interim bail and her presence could not be secured even after more than 4 years of passing of order dated 19.08.2016, therefore, no ground is made out to grant any indulgence under Section 439 Cr.P.C.

Dismissed.

29.06.2021

Amandeep

**(RAJ MOHAN SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes/No
Yes/No**