

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

(Sr. No. 217)

**CRM-M No. 16696 of 2020
Date of decision : 16.02.2021**

Veerpal Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Kirat Pal Dhaliwal, Advocate for the petitioner.
Mr. H. S. Sitta, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.19 dated 16.02.2020 under Section 15/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Maur, district Bathinda.

The petitioner is sought to be prosecuted for allegedly being in illegal possession of 1450 tablets containing tramadol and 4 kilograms of poppy husk.

Learned counsel for the petitioner contends that the petitioner who is 51 years old lady has been falsely implicated in the present case; the petitioner is in custody since 16.02.2020; there is no other criminal case in which she is involved; report under Section 173 Cr.P.C. has already been filed and therefore the petitioner is not in a position to influence the investigation and that the trial which is yet to commence in which 11

prosecution witnesses are cited by the prosecution is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail to her on the ground that the petitioner has been found in illegal possession of 1450 tablets containing tramadol and 4 kilograms of poppy husk and if she is released on bail, she may indulge in similar offences.

The petitioner is 51 years old lady; she is in custody for one year; she is not involved in any other criminal case; report under Section 173 Cr.P.C. has already been filed and therefore she is not in a position to influence the investigation and the trial which is yet to commence in which 11 prosecution witnesses are cited by the prosecution, is likely to take a long time to conclude especially in the present circumstances when the world is facing the COVID-19 pandemic.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Bathinda the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

16.02.2021*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No