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

CRM-M-20877-2021(O&M)

Date of decision : 09.12.2021

Palo Kaur

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG Punjab.

ALKA SARIN, J. (ORAL)

Heard in virtual mode.

CRM-24489-2021

This is an application for placing on record FSL Report
(Annexure A-1).

For the reasons stated in the application, the same is allowed
and FSL Report (Annexure A-1) is taken on record.

CRM-M-20877-2021

Heard through video conferencing.

This is the second petition filed under Section 439 of the Code
of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR
No.344 dated 13.07.2020 under Sections 22-C, 25, 29 of the Narcotic Drugs
and Psychotropic Substances Act, 1985 and Sections 7 and 13 of the

Prevention of Corruption Act, 1988 and Sections 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station City Barnala, District Barnala. The first bail petition of the petitioner being CRM-M-28889-2020 was dismissed as withdrawn on 14.12.2020.

Learned counsel for the petitioner would contend that recovery from the petitioner was 580 intoxicant tablets i.e. Clovidol-100-SR. As per the FSL report, the weight of the tablets is 238.68 grams, which is less than the commercial quantity which is 250 gms. He would further contend that the petitioner has been in custody since 13.07.2020 in the present case.

Learned counsel for the State has contended that there are four other FIRs against the petitioner. However, in three FIRs the petitioner stands acquitted and in one she has been convicted and sentenced to undergo imprisonment for a period of ten years. He has further contended that though the challan has been presented the charges are yet to be framed.

Learned counsel for the petitioner states that the petitioner has already undergone the sentence of ten years in which she stands convicted.

Heard.

In view of the above and considering the facts that the quantity of alleged recovery effected is non-commercial in nature and the petitioner has been in custody since 13.07.2020 as also the fact that the trial is likely to take some time to conclude, no useful purpose would be served by keeping the petitioner behind the bars any further. Without commenting upon the merits of the case, I deem this to be a fit case to grant the concession of regular bail to the petitioner. The petitioner is directed to be released on bail

subject to her furnishing bail bonds/surety bonds to the satisfaction of the Illaqa Magistrate/Duty Magistrate/Trial Court concerned.

However, the Prosecution will always be at liberty to apply for cancellation of bail in case the petitioner is found to be misusing the concession of bail in any manner.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

Disposed off.

09.12.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO