

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

CRM-M-22113-2021

Date of Decision: 03.06.2021

HARMEL KAUR

....PETITIONER

Versus

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

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

SANT PARKASH J.(Oral)

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

The concession of anticipatory bail has been sought by the petitioner through instant petition under Section 438 Cr.P.C., in case, FIR No.28, dated 03.03.2021, under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Amargarh, District Sangrur.

As per the prosecution case, on 03.03.2021, recovery of 28 grams of heroin/chitta was effected from co-accused Gagandeep Singh, which falls under non-commercial category. The allegations against the present petitioner is that she had supplied the contraband to the co-accused and this fact has been cropped up in the disclosure statement of Gagandeep Singh.

Notice of motion.

Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of

the respondent-State. Copy of the paper book has already been supplied to learned State counsel.

The factual aspect is not disputed by learned counsel appearing on behalf of the State. He further submits that no recovery has been effected from the present petitioner and she is no more required for custodial interrogation.

After hearing learned counsel for the parties and keeping in view the fact that the recovery effected from the co-accused falls under non-commercial category; and no recovery has been effected from the present petitioner and her custodial interrogation is not at all required, the concession of anticipatory bail is granted to her, subject to the following conditions, as envisaged under section 438(2) Cr.P.C:-

(i) that the petitioner shall make herself available for interrogation by a police officer as and when required;

(ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave India without the previous permission of the Court.

(iv) that the petitioners shall surrender her passports, if any, before the concerned Chief Judicial Magistrate.

03.06.2021
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(SANT PARKASH)
JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No