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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-23699-2021

DATE OF DECISION: 30th JUNE, 2021

BIMBO

PETITIONER

VERSUS

STATE OF PUNJAB

RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Harkirat Singh Bhogal, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab

AVNEESH JHINGAN, J (Oral):

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition under Section 439 of Cr.P.C. seeking regular bail in FIR No. 226, dated 27th September, 2019, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 [hereinafter 'the Act'], registered at Police Station Tanda, District Hoshiarpur

The brief facts are that on 27th September, 201, patrolling police party apprehended the petitioner-Bimbo. She on seeing the police party threw a polythene bag. From the said bag, 110 grams of intoxicating powder (later found to be Alprazolam) was recovered.

Mr. Harkirat Singh Bhogal, learned counsel appearing for the petitioner submits that petitioner is 79 years of age. He further submits that no recovery is to be made, investigation is complete, challan stands presented.

Ms. Monika Jalota, Deputy Advocate General, Punjab, opposes the regular bail and submits that recovery is of commercial quantity and the petitioner is also involved in eight more cases.

In the present case, the recovery is marginally higher and it includes weight of polythene also. Considering that investigation is complete; challan stands presented; no recovery is to be made; conclusion of trial is likely to take time, the petitioner is in her late 70's and no useful purpose would be served by declining her personal liberty, the petitioner is granted bail. The bail would be subject to furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

[AVNEESH JHINGAN]
JUDGE

30th June, 2021

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |