

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

**CRM-M No.23436 of 2021
Date of Decision:-30th June, 2021.**

Shanti

.....Petitioner.

Versus

State of Haryana

.....Respondent.

(Heard through Video-Conferencing)

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present:- Mr. Rakesh Kumar Lathwal, Advocate
for the petitioner.

MEENAKSHI I. MEHTA, J.(Oral)

The petitioner herein seeks the relief of regular bail in the criminal case as registered at Police Station Butana, District Karnal vide FIR No.68 dated 03.03.2021 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 with the allegations of her having been found in possession of *Ganja* leaves, weighing 5 Kgs. and 340 grams, without any licence or permit.

Mr. Surinder Kumar Dagar, learned Deputy Advocate General, Haryana has joined the proceedings in pursuance of the notice of this petition having been sent to the respondent-State in advance.

I have heard learned counsel for the petitioner as well as learned State counsel in the present petition and have perused the file thoroughly.

Learned counsel for the petitioner contends that the petitioner is aged about 65 years and the quantity of the *Ganja* leaves, as allegedly recovered from her possession, is “non-commercial” one and the investigation has been completed and the Challan has already been presented and it being so, the petitioner should be extended the relief of regular bail.

Learned State counsel does not dispute the above-referred factual position but argues that in view the nature of the offence as committed by the petitioner, this petition be dismissed.

Keeping in view the facts that the petitioner is an old lady and the Challan has already been presented in the subject case and the quantity of *Ganja* leaves, as alleged to have been recovered from her possession, falls under the category of “*non-commercial quantity*” and there is nothing on the record to suggest that she is involved in any other case of the similar nature and the trial of the case is likely to take sufficient time to conclude and the petitioner is in custody since 03.03.2021 and no useful purpose will be served by detaining her in judicial custody any more specially in the circumstances when the Courts are working in a restrictive manner due to the outbreak of Pandemic Covid-19 and without commenting or expressing any opinion on the merits of this case, the present petition is hereby allowed and the

petitioner is ordered to be released on bail on her furnishing the personal as well as surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

June 30, 2021
Yag Dutt

(MEENAKSHI I. MEHTA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*