

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

214

CRM-M-27516-2020

Date of Decision: 11.11.2021.

LAKHO KAUR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. H.S.Multani, AAG, Punjab.

HARNARESH SINGH GILL, J.(Oral)

By way of the present petition, the petitioner seeks regular bail in case bearing FIR No. 83 dated 28.05.2020, registered under Sections 22,25 and 29 of the NDPS Act at Police Station Sadar Budhlada, District Mansa.

Learned counsel for the petitioner states that as per the prosecution story, the petitioner was sitting in a car, which was being driven by co-accused, namely, Happy Singh; that the alleged recovery was effected from the rear seat of the car and not from the conscious possession of the petitioner. He further submits that co-accused, namely, Bhawi and Shinder Kaur, were indicted in the present case later on; that the petitioner has been in custody since 28.05.2020 and that there is no other case registered or pending against the petitioner.

On the other hand, learned State counsel has vehemently opposes the prayer for grant of regular bail to the petitioner contending that the recovery effected from the petitioner is a commercial quantity. He, however, has not disputed the custody period of the petitioner. He further submits that post presentation of challan, the prosecution witnesses are to be examined.

I have heard the learned counsel for the parties.

The petitioner is a lady, who has been in custody since 28.05.2020. Prosecution witnesses are yet to be examined. There is no other case registered or pending against the petitioner. Trial of the case would take time to conclude, especially due to COVID-19 pandemic. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

11.11.2021
Aman Jain

(HARNARESH SINGH GILL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No