

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

CRM-M-39495-2021

Date of Decision: 9th November, 2021

Resham Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Ashok Giri, Advocate
for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

1. This petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No.65, dated 14.08.2021, under Section 21 (b) of NDPS Act, 1985, registered at Police Station Nurmahal, District Jalandhar.

2. The police party on 14th August, 2021, during routine checking apprehended petitioner and recovered 30 grams of *Heroin* from his conscious possession.

3. Learned counsel for the petitioner submits that alleged recovery from the petitioner is a non commercial quantity. It is a case of a false implication only due to involvement of the petitioner in earlier two FIRs. He further submits that petitioner is in custody since 15th August, 2021, no recovery is to be made from the petitioner.

4. Learned State counsel opposes the prayer for grant of regular bail. She submits that petitioner is involved in two more FIRs.

5. Considering the fact that the recovery from the petitioner is non-commercial quantity, the involvement in two more cases in itself is not

and conclusion of trial is likely to take time, the petitioner is granted bail subject to his furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

- 6. The petition is allowed.
- 7. It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

(AVNEESH JHINGAN)
JUDGE

9th November, 2021
Parveen Sharma

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