

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

CRM-M-39384-2020 (O&M)

Date of decision: 22.02.2021

Chhindo Bai

...Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Harvinder Singh Maan, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. A.G., Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 456 dated 28.09.2020 registered under Sections 21-B, 27-A of NDPS Act, and Section 61 of the Excise Act, 1914, at Police Station City Fatehabad, District Fatehabad.

Learned counsel for the petitioner states that the petitioner has falsely been implicated in the present case. The petitioner is 49 years old lady. The alleged recovery of 6.3 grams *heroin*, includes the weight of the plastic pouch, which is marginally above the small quantity. He further points out that as far as the another case is concerned, the petitioner was indicted therein, on the basis of a disclosure statement, in which she is on bail. The petitioner has been in custody since 28.09.2020.

Learned State counsel has not disputed the fact regarding the custody period of the petitioner and further states that challan was presented on 25.11.2020 and the case is now fixed before the trial Court for 04.05.2021 for framing of the charge(s).

At this stage, Mr. R.S. Mamli, Advocate, appears and files power of attorney on behalf of the complainant, through email, which is taken on record.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 28.09.2020. Charges are yet to be framed. The trial will take time to conclude and thus, 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 petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

(HARNARESH SINGH GILL)
JUDGE

22.02.2021

Mangal Singh

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No