

219

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41330-2020

Date of Decision: 22.02.2021

Surjit Kaur @ Sito

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Sekhon, Advocate for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail, pending trial in case FIR No.73 dated 17.12.2019 registered under Sections 22 and 29 NDPS Act, 1985 at Police Station Dharamgarh, District Sangrur. The petitioner is in custody since her arrest on 17.12.2019.

As per prosecution, on 17.12.2019, 300 tablets of Clovidol were recovered from Surjit Kaur @ Sito (petitioner) and 350 tablets of Clovidol were recovered from co-accused Varinder Singh.

Learned counsel for the petitioner contends that in all, 650 tablets of Clovidol were recovered from co-accused Varinder Singh and the petitioner. As per the prosecution, the petitioner was found in possession of 300 tablets and her co-accused Varinder Singh has already been released on interim bail vide order dated 14.12.2020 passed in CRM-M-7782-2020 and the said concession is alive till 15.07.2021. According to him, the

investigation of the case is complete, but the trial is yet to commence, threrefore, further custody of the petitioner may not be necessary. He prays for bail.

The prayer is opposed by learned State counsel assisted by ASI Tek Singh, who has produced the custody certificate of the petitioner to contend that she is involved in another case of similar nature. However, it is not disputed that the charges are yet to be framed.

After hearing the learned counsel for the parties, considering the above background, custody of the petitioner and the fact that despite filing of the final report on 09.06.2020, even the charges have not been framed, this Court does not find any reason to decline the prayer, as the trial is likely to consume considerable time to conclude.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate Sangrur.

The petition is allowed.

22.02.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No