

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

CRM-M No.42959 of 2020 (O&M)

Date of Decision:10.09.2021

Pooja

...Petitioner

Versus

State of U.T. Chandigarh

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Anil Sharma, Advocate
for the petitioner.

Mr. Rajiv Vij, APP, U.T., Chandigarh.

JAISHREE THAKUR, J. (ORAL)

This is a petition that has been filed for grant of regular bail to the petitioner in FIR No.203 dated 28.11.2019 registered under Section 22 of the NDPS Act at Police Station, Mauli Jagran, U.T, Chandigarh.

Counsel for the petitioner herein would submit that the petitioner came to be nominated as an accused under Section 22 of the NDPS Act at Police Station, Mauli Jagran, U.T, Chandigarh. The allegations in the FIR are to the effect that 30 injections of buprenorphine and 30 injections of pheniremine maleate were recovered from her. The FSL report obtained had confirmed the contraband. The petitioner herein had approached this Court earlier for grant of regular bail on account of the fact that she was pregnant and the conditions in the jail were not conducive. This Court vide order dated 31.08.2020 had allowed interim bail to the petitioner herein. Thereafter, an application was filed for extension of the interim bail on the ground that there was direction from the High Powered Committee to extend bail to undertrial prisoners so as to avoid crowding of

jails. The said application was allowed. Subsequent thereto, another application was filed seeking extension of time to surrender, which application was eventually dismissed. Now it is the 5th bail application that has been filed on the ground that there is a minor child in custody with her.

Learned counsel appearing for the respondent-State opposes grant to regular bail to the petitioner by contending that she is a habitual offender and in one case, she stood convicted by imposition of a fine. It is also argued that the trial has commenced and five witnesses have already been examined.

I have heard learned counsel for the parties and find no ground to allow this 5th bail application, in view of the bar imposed under Section 37 of the NDPS Act. Consequently, the instant petition stands dismissed. However, while dismissing this bail application, this court deems it appropriate to direct the trial court to make an endeavour to conclude the trial expeditiously.

September 10, 2021
P.Bhatt/Pankaj*

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No