

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-47195-2021

DATE OF DECISION: 29.11.2021

AMANDEEP KAUR @ AMAN

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms. Simsi Dhir, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking regular bail in FIR No.2 dated 01.01.2015, under Sections 20, 21, 22 and 29 of the NDPS Act, 1985 registered at Police Station Sadar Kapurthala, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and no recovery has been effected from the petitioner. She was arraigned as an accused on the statement of co-accused from whom commercial quantity of narcotic has been effected. The petitioner was involved in another case under the NDPS Act wherein recovery was slightly higher than the small quantity and much below the threshold of commercial quantity. She is 33 year old lady with four children and a one year old child is also residing with her in the jail. She is in custody for over 9 months.

Learned State counsel contends that the petitioner is in custody for 9 months and 7 days. She also contends that the petitioner is also involved in another case but she is not in a position to controvert the submissions of learned counsel for the petitioner that recovery in another case was slightly higher than the small quantity and much below the threshold of commercial quantity and no recovery has been effected from the petitioner in the instant case. She also contends that challan has been filed but no prosecution witness has been examined.

Heard.

In view of the above, especially when the petitioner is a lady and is in jail with an infant, she is in custody for over 9 months, the COVID-19

pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

29.11.2021

SwarnjitS

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