

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

SR. No.202

CRM-M-53202-2021

Date of Decision:23.12.2021

Preet Kaur @ Preeti

...Petitioner

Versus

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Ms. Kamlesh, Advocate,
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

SANT PARKASH, J.

Petitioner prays for grant of regular bail in FIR No.0035 dated 20.06.2021 under Sections 22/29 of the NDPS Act, 1985 registered at Police Station Lakhewali, District Sri Muktsar Sahib.

As per the allegations in the FIR, the petitioner was found in conscious possession of 500 tablets Colvil-100 SR.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR. She further submits that the alleged recovery of narcotic substance from the petitioner is less than 250 gms, which is a non-commercial quantity. She also submits that the petitioner is in behind the bars for more than six months. Thus, she prays for grant of regular bail to the petitioner.

Learned counsel for the State opposes the prayer of the learned counsel for the petitioner. However, he does not dispute that the recovery effected from the petitioner is a non-commercial quantity.

I have heard the learned counsel for the parties and perused the case file.

Custody certificate dated 22.12.2021, filed in Court today, is taken on record. It reflects that the petitioner is in custody for more than 06 months.

It is the case of the petitioner that entire quantity of 500 intoxicant tablets allegedly recovered from the petitioner comes to 206.16 gms. which falls in non-commercial quantity. Further, the petitioner is in custody since 22.06.2021. The said facts have not been disputed by the learned counsel for the State.

Taking into consideration the totality of the circumstances and without commenting on the merits of the case, it is considered as appropriate to release the petitioner on regular bail on her furnishing bail bonds/surety bonds to the satisfaction of the concerned trial court/Duty Magistrate/Chief Judicial Magistrate. .

The petition is allowed.

23.12.2021
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO