

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

202(2)

CRM-M-44880-2019

Date of Decision: 20.08.2021

Bona ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Ms. T.K.Hundal, Advocate,
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab,
assisted by SI Gurmail Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against her vide FIR No.0067 dated 06.08.2019 at Police Station Nurmahal, District Jalandhar Rural, under Section 21/22-61-85 of the NDPS Act.
2. At the time of issuance of notice of motion, the following order was passed:

“It is contended by learned counsel for the petitioner that the petitioner has been wrongly involved in this case. She is not involved in any business of drug trafficking. In the present case, the petitioner has been sought to be involved on the basis of some disclosure statement of the coaccused from whom 75 tablets of Alprazolam and 4 grams of heroin is stated to have been recovered. On the same day, at about the same

time, another FIR was also lodged in which the name of the petitioner is involved in similar manner. Accused involved in both the cases belong to the village of the petitioner only. The name of the petitioner seems to have been dragged in the case on some personal enmity. Otherwise, there is no other case of any kind against the petitioner; besides the present two cases.

Notice of motion for 05.03.2020.

xx

xx”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that the challan already stands presented.
4. In view of the aforestated position especially that the petitioner was never arrested at the spot and has been nominated on the basis of a disclosure statement and has also joined investigation and in fact challan stands presented, her custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 05.11.2019 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

20.08.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**