

CRM-M-55718 of 2019

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

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CRM-M-55718 of 2019
Date of decision:20.08.2021

Balwinder Kaur

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.133 dated 10.12.2019 registered under Sections 21 and 29 of [Narcotic Drugs and Psychotropic Substances Act, 1985](#) at Police Station Special Task Force, District STF Wing, Punjab having head quarter at Phase-IV, SAS Nagar, Mohali, local Police Station Salem Tabri, District Ludhiana (Annexure P-1).

Counsel for the petitioner submits that the petitioner has been arraigned as an accused on the basis of the disclosure statement of co-accused, Ravi Kumar and Jyoti from whom 340 grams and 160 grams of heroin, besides drug money of Rs.42,000/- was recovered. He submits that confessional statement of the co-accused recorded in police custody is inadmissible in evidence.

On 08.01.2020, this Court passed the following order:-

“Learned counsel for the petitioner has submitted that petitioner has not been named in the FIR nor her name has been figured during investigation.

List this matter on 28.02.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from ASI Balwinder Kaur, submits that the petitioner has joined the investigation and is no longer required for custodial interrogation. He has further instructions to state that the petitioner is not involved in any other criminal case.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 08.01.2020 granting interim bail to the petitioner is made absolute, subject

to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

August 20, 2021

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Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No