

**221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-1253-2021****Date of decision : 17.05.2022****Harjinder Kaur @ Jinder****....Petitioner****Vs.****State of Haryana****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Aditya Sanghi, Advocate for the petitioner
Mr. Bhupender Singh, DAG, Haryana.

*********MANOJ BAJAJ, J.**

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.410 dated 12.09.2020 under Section 21-B Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Rania, District Sirsa, Haryana, who is in custody since her arrest on 12.09.2020.

The allegations in the FIR as noticed by the learned Additional Sessions Judge, Sirsa in the order dated 31.12.2020 are as under:-

“The brief facts of the case which are essential to adjudicate the present application are that on 12.09.2020 a patrolling party headed by SI Jagdish Kumar has apprehended applicants/accused alongwith 1000 prohibited intoxicant capsules PARVORIN SPAS TRAMADOL HYDROCHLORIDE MARKA RIDELY (weighing 639 grams) without any permit or license in the area of P.S Rania near Guru Hari Singh College Jiwan Nagar. After accomplishing the formalities, police got registered the present FIR.”

Learned counsel for the petitioner has argued that the petitioner was a pillion rider on a motorcycle driven by her husband and they both were

falsely implicated for carrying intoxicant substance (1000 tablets of Parvorin Spas Tramadol Hydrochloride). He further submits that except for the present case, petitioner is not involved in any other case much less of similar nature. According to him, investigation of the case is also complete, therefore, she be released on regular bail.

On the other hand, learned State counsel assisted by SI Subhash Chander opposes the prayer on the ground that the quantity recovered falls under commercial quantity, but does not dispute this fact that petitioner is not involved in any other case. He further submits that the final report stands filed on 04.01.2021, however, charges are yet to be framed.

After hearing learned counsel for the parties, considering the above background and custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after her arrest on 12.09.2020.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

17.05.2022

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Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No