

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

Sr. No.212

CRM-M-6057-2021

Date of decision : 15.2.2022

Rajwinder Kaur @ Raji

.....Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.AS Barnala, Advocate for the petitioner

Ms.Gunkirat Kaur, AAG, Punjab

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.442 dated 30.10.2020 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Barnala, District Barnala.

The petitioner is being prosecuted for having been found in illegal possession of 1000 tablets containing 407.12 grams of Tramadol Hydrochloride.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; she is a 30 years old lady with two minor children; there is no other criminal case pending against her; the investigation in the case is complete; she has suffered actual custody of 8 months; she did not misuse the concession of interim bail granted to her by this Court and dutifully surrendered as per orders of this Court and that the petitioner's trial, which is yet to begin, will take a long time to conclude.

Learned State counsel opposes the grant of bail to the petitioner on the ground that the petitioner has been found in illegal possession of 407.12 grams of Tramadol Hydrochloride and that if released on bail she may indulge in similar offences.

The petitioner is a 30 years old lady and a mother of two minor children; there is no other criminal case pending against her; investigation in the case is complete; the petitioner has been in custody for 8 months; she did not misuse the concession of interim bail granted to her by this Court and dutifully surrendered as per orders of this Court and that the petitioner's trial, which is yet to commence, is likely to take a long time to conclude.

In view of the above, the present case is considered to be a fit one in which the petitioner be directed to be released on regular bail. Resultantly, subject to the satisfaction of the CJM/Duty Magistrate, Barnala, the petitioner is directed to be released on bail.

It is clarified that the above observations have been made only for the limited purpose of deciding the present regular bail application and the same would not be construed to be an expression of opinion on the merits of the case.

It is further clarified that if the petitioner is found indulging in any criminal act or misusing the concession of bail granted by this Court, it would be open to the State to seek cancellation of her bail granted through this order by filing of an appropriate application before this Court.

15.2.2022
gsv

[DEEPAK SIBAL]
JUDGE

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