

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

208

CRM-M-6271-2021

Date of Decision: 22.02.2022

Rajni Devi ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. B.D.Sharma, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana,
assisted by SI Moman.

(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 vide FIR No.12 dated 10.01.2021 at Police Station Sadar Thanesar, District Kurukshetra, under Sections 18 & 25 of the NDPS Act and Section 489-A IPC.
2. The FIR in question was lodged on the basis of a secret information received by the Police to the effect that Vikram Sharma is into the business of sale of opium and that on the said day i.e. 10.01.2021, he was proceeding in a car bearing registration No.HR07AA-9660 while carrying huge quantity of opium. Pursuant to receipt of said information, barricading was laid and the police was able to intercept the car in question, which was being driven by Vikram Sharma. Upon personal search of Vikram

Sharma, 148 grams of opium was recovered. It is further the case of the prosecution that fake currency in the shape of 20 counterfeit notes of Rs.500/- were also recovered from the car in question. During interrogation, Vikram Sharma disclosed that he had purchased the opium from one Sharanjit and had procured the counterfeit notes from one Sunil. It is further the case of the prosecution that the petitioner was also actively involved with Vikram Sharma and was found to be constantly in touch with him.

3. Learned counsel for the petitioner has submitted that she has falsely been implicated in the present case and that there is no convincing evidence to suggest that she had any role to play in the alleged recovery of opium from Vikram Sharma and/or in the recovery of counterfeit currency notes.
4. On the other hand, learned State counsel has submitted that since during the course of investigation, it has been found that the petitioner was associated with the main accused Vikram Sharma and had constantly been in touch with him, her complicity is clearly evident. Learned State counsel has, however, 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 she is not involved in any other case.
5. I have considered rival submissions addressed before this Court.
6. It is not in dispute that no recovery was ever effected from the petitioner and she has been nominated on the premises that she had

constantly been in touch with the main accused Vikram Sharma. The petitioner, who is a lady, has already joined investigation and is not stated to be required for any custodial interrogation. She otherwise is stated to have a clean record and is not involved in any other case. In these circumstances, the petition is accepted and the interim directions issued by this Court vide order dated 11.02.2021 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.

22.02.2022

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**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**