

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

CRM-M-6588-2022 (O&M)

Date of decision: 05.05.2022

Radha Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Veeraj Sharma, Advocate for
Mr. Siddharth Gupta, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.0001 dated 19.01.2022 under Section 20 of NDPS Act (offences under Section 27 & 29 of NDPS Act were added later on), registered at Police Station GRP Bathinda, District Govt. Railway Police.

The operative part of the order dated 17.02.2022, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of ASI Sukhmander Singh, on suspicion, he apprehended two persons on railway platform and sent information to the police station to depute some other officer. Thereafter, 07 kg of ganja was recovered from two co-accused namely Vinod Burva and Saurav Kumar Yadav. It is further submitted that on the basis of disclosure statements of both the aforesaid co-accused, the petitioner was nominated, as a person, to whom the consignment was to be delivered. It is also submitted that the petitioner is

nominated only for the reason that co-accused Saurav Kumar Yadav is son of his brother-in-law.

Learned counsel further submits that the petitioner is a lady aged about 59 years and is not facing trial in any other case under NDPS Act. It is next submitted that on an earlier occasion, the petitioner was involved in NDPS Act, in which she has already undergone the sentence for recovery of small quantity. It is also submitted that the petitioner was nominated in some other case, because of involvement of some male members of her family in the drug business.

Notice of motion for 05.05.2022.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 17.02.2022, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Saudagar, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 17.02.2022, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

05.05.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No