

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

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CRM-M-9766-2022

Date of Decision: 25.08.2022

Banso Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. J.K.Singla, Advocate,
for the petitioner.

Ms. Swati Batra, DAG, Punjab,
assisted by SI Balbir Singh.

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.36 dated 05.02.2022 at Police Station Bhikhi, District Mansa, under Sections 22 & 29 of the NDPS Act.
2. At the time of issuance of notice of motion on 08.03.2022, the following order was passed:

“The instant petition has been filed under Section 438 Cr.P.C. seeking grant of anticipatory bail in case FIR No.36 dated 05.02.2022, registered under Sections 22 and 29 of NDPS Act, 1985 (Act No.61 of 1985) at Police Station Bhikhi, District Mansa.

It is contended that the petitioner has been falsely implicated in the present case and has been nominated only on the basis of disclosure statement of the co-accused namely Vicky Kumar, from whose possession the alleged recovery of 200 tablets of Tramadol Prolonged Release Tablets IP (100 MG) Tramatrast SR 100 has been effected.

Notice of motion for 31.03.2022.

Mr. Kirat S.Sidhu, Deputy Advocate General, Punjab accepts notice on behalf of the respondent-State and seeks time to file reply.

Let reply be filed by State on or before the next date of hearing.”

3. Subsequently, vide order dated 07.04.2022, the petitioner was granted interim bail and was directed to join investigation.
4. Today, learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation. It has, however, been informed that the petitioner stands involved in one more case.
5. Having regard to the facts and circumstances of the case and the fact that no recovery whatsoever was effected from the petitioner and also that the petitioner has joined investigation and is not stated to be required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 07.04.2022 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.

25.08.2022

Vimal

(GURVINDER SINGH GILL)
JUDGE

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