

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

CRM-M-10802-2022

Date of decision:17.03.2022

Shimla Rani

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case bearing FIR No.17 dated 28.01.2022, registered at Police Station City, Sri Muktsar Sahib, District Sri Muktsar Sahib, under Sections 21(b) and 27-B (added later on) of the NDPS Act, 1985.

Learned counsel for the petitioner contends that recovery of 20-gram heroin allegedly effected from the petitioner, falls under the non-commercial quantity; that the petitioner has been in custody since 28.01.2022; that the petitioner was taken into custody while she was in her house and an amount of Rs.50,000/- was taken out after break-opening the lock of a trunk, and that there is no other case registered or pending against the petitioner.

On the other hand, learned State counsel opposes the grant of bail to the petitioner. However, he submits that the FSL report is still awaited and the challan is yet to be presented.

I have heard the learned counsel for the parties.

Indisputably, the recovery of contraband allegedly effected from the petitioner, falls under the non-commercial quantity. The recovery has already been effected. There is no other case registered or pending against the petitioner. She has been in custody since 28.01.2022. Trial is unlikely to conclude any time soon. Therefore, no useful purpose would be served by keeping her behind the bars.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

17.03.2022

parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?

Yes/No

Whether reportable?

Yes/No