

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

CRM-M-10831-2020

Date of decision : 02.03.2022

Lachhmi

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Pardeep Kumar Kapila, Advocate for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.139 dated 13.09.2019 under Sections 22 and 29 Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bhikhi, District Mansa, who is in custody since her arrest on 13.09.2019.

As per prosecution case, petitioner was found in conscious possession of 850 tablets of Clovidol-100 SR.

Learned counsel for the petitioner has argued that the petitioner was arrested on the spot when the alleged recovery of 850 tablets was made from her and after completion of investigation, the final report was filed on 04.03.2020 and charges were framed, but till date only three prosecution witnesses have been examined out of total twelve witnesses. He prays for bail.

On the other hand, learned State counsel assisted by ASI

Baljinder Singh has opposed the prayer on the ground that the recovered contraband is commercial in nature. Apart from it, the petitioner is accused in two other cases and in this regard, he has produced the custody certificate of the petitioner filed by way of affidavit of Arvinder Pal Singh Bhatti, Superintendent, District Jail Mansa, which reveals that in the said cases, the petitioner is on bail.

Considering the above background, custody of the petitioner and the fact that the trial will take considerable time to conclude, this Court is of the opinion that further detention of the petitioner, who is a lady, behind the bars may not serve any useful purpose, who is presently confined in judicial custody after her arrest on 13.09.2019. Further, the material witnesses are police officials and there does not seem to be any possibility of their being won over, therefore, this Court deems it appropriate to release the petitioner on regular bail

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

02.03.2022

vanita

**(MANOJ BAJAJ)
JUDGE**

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No