

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

206

CRM-M-13722 of 2022 (O&M)

DECIDED ON: 27th October, 2022

Manjit Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Monty Goyal, Advocate for petitioner.

Mr. A.P.S. Tung, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

This is second petition seeking regular bail in FIR No. 148 dated 18.12.2021, under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') and Section 29 of the Act added lateron, registered at Police Station Sadar, Rajpura, District Patiala.

Earlier petition was withdrawn on 8.3.2022 with liberty to approach the Sessions Court for grant of interim bail during the pendency of FSL report.

As per the case set up on 18.12.2021 police party apprehended Kuldeep Singh and recovered 48500 intoxicating tablets (having Tramadol salt). Kuldeep Singh disclosed that the recovered contraband was to be delivered to Manjit Kaur (petitioner).

Learned counsel for the petitioner submits that it is a case of false implication. Petitioner was not apprehended at the spot. No recovery was made from her or at her instance. She is not involved in any other case under the Act and is in custody since 18.12.2021.

Learned State counsel on instructions from Kuldeep Singh opposes the prayer and submits that the petitioner was specifically named by the co-accused. However, on instructions he fairly submits that the petitioner is not involved in any other case under the Act, no recovery was made from her or at her instance.

Without commenting upon the merits of the case, considering that the name of the petitioner surfaced in disclosure statement, she has no criminal antecedents, though investigation is complete conclusion of trial is likely to take time, bail is granted to the petitioner on furnishing surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

The petition is allowed.

It is clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the main case has been decided, the pending application, if any is rendered infructuous.

27th October, 2022

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(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *No.*