

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

211

CRM-M-14569-2022 (O&M)

Date of Decision: 01.06.2022

SHEELA DEVI @ SHEELA RANI @ SHEELA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. PS Sekhon, 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.181 dated 14.11.2021, registered at Police Station Amargarh, District Malerkotla (earlier District Sangrur), under Section 302 IPC and Sections 21, 27 and 29 NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that as many as 12 accused have been arraigned in the present FIR and that too on the basis of the statement of one Tejinder Singh; that the allegations against the petitioner are that she had supplied the contraband to Pardeep Kumar (since deceased) and Tejinder Singh and Pardeep Kumar had died of drug overdose; that 04 gram of smack was recovered from the petitioner; that the aforesaid recovery of smack falls in 'small quantity', and that the petitioner has been in custody since 16.11.2021. He further submits that there is no other case registered and/or pending against the petitioner.

Per contra, while opposing the prayer for grant of regular bail to the petitioner, learned State counsel does not dispute the custody period of the petitioner. He, however, submits that the allegations against the petitioner and the co-accused are that they have supplied drugs to Pardeep (deceased). He further submits that post framing of the charge, the prosecution evidence is going on and there are total 32 witnesses.

I have heard the learned counsel for the parties.

The petitioner has been in custody since 16.11.2021. Recovery of small quantity has already been effected. The petitioner has been indicted on the basis of the disclosure statement of the co-accused. There is no other case registered and/or pending against the petitioner. Prosecution evidence is yet to commence. In such circumstances, the trial of the case would take a long time to conclude. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

In view of the above and without commenting anything on the merits of the case, 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/surety bonds to the satisfaction of the learned trial Court/Duty Magistrate/Chief Judicial Magistrate concerned.

01.06.2022

Aman Jain

(HARNARESH SINGH GILL)
JUDGE

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