

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

228

CRR-560-2021

Date of Decision: 16.03.2022

Sarabjit Kaur

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Ms. Loveinder Kaur, Advocate for the petitioner.

Mr. R.S. Khaira, AAG, Punjab.

HARINDER SINGH SIDHU, J.

Present petition has been filed assailing the order of the learned Judge Special Court, Sangrur, whereby the application of the petitioner for return of Rs. 56040/- allegedly recovered from the petitioner has been dismissed.

The petitioner is accused in case FIR No. 2 dated 02.01.2021, under Sections 22, 61, 85 of NDPS Act registered at Police Station Sadar Bhawanigarh, District Sangrur. The allegations are that the petitioner was apprehended near the bridge of a drain on Jolian road near Govt. School Jolian. 300 intoxicant tablets of Cecidal-100 SR alongwith currency notes of Rs. 56,040/- as drug money was recovered from her. The petitioner filed the application before the learned trial Court for release of the amount. She disputed the claim of the prosecution that this was drug money. It was her case that infact she had given her two gold ornaments i.e. two pieces of chain, one piece of locket to Jindal Jewellers Sadar Bazar Nabha in

lieu of which she had received an amount of Rs.1,04,287/-.

For substantiating the aforesaid assertion, the petitioner is relying on a document (Annexure P-2). Annexure P-2 is only valuation report of two pieces of jewelry. It does not indicate that the jewelry has been deposited with Jindal Jewellers Sadar Bazar Nabha and in lieu thereof the amount has been taken by the petitioner.

In any event it is difficult to opine on the claim of the petitioner that the money recovered is not drug money. It has come on record that the petitioner is habitual of selling intoxicants. Three FIR's including two under the NDPS Act have been registered against her. In view thereof there is no infirmity in the order of learned trial Court declining to return the drug money to the petitioner and the present petition is hereby dismissed.

[HARINDER SINGH SIDHU]
JUDGE

March 16, 2022
rashmi

Whether speaking/reasoned	yes/no
Whether reportable?	yes/no