

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

203

CRM-M-17483-2020

Date of decision : 08.04.2022.

Sarabjit Kaur

... Petitioner

Versus

State of Punjab

.. Respondent

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Ms. Satinder Kaur, Advocate for the petitioner.

Mr. T.P.S. Chawla, DAG, Punjab.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking regular bail in FIR No.83 dated 21.04.2017 under Section 21 of the NDPS Act registered at Police Station Meharban, District Ludhiana.

Learned counsel for the petitioner contends that it is alleged that the recovery of 500 grams of heroin was allegedly effected from the petitioner. The petitioner is also involved in two other cases under the NDPS Act, one of which pertains to recovery of small quantity while in the other case, non-commercial quantity was allegedly recovered from her. Her husband is paralysed, he is unable to walk without assistance and has been granted bail on 17.02.2022. The petitioner has two minor children one of whom is a minor. The petitioner is in custody for about 3 ½ years and the trial has come to a standstill due to Covid-19 pandemic.

Learned State counsel, upon instructions from ASI Sukhwinder Singh, states that 23 out of 25 prosecution witnesses have been examined. He has filed the custody certificate in Court, which indicates that the petitioner is

in custody for 03 years, 05 months and 17 months as on 07.04.2022. He also contends that the petitioner is also involved in two other cases under the NDPS Act and therefore, she should not be granted the concession of regular bail.

Heard.

In view of the above especially when the petitioner is a lady, she is in custody for almost 3 ½ years, the Covid-19 pandemic and the conclusion of the trial is likely to take some time, I deem it a fit case to grant the concession of regular bail to the petitioner.

Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on her furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

At the time of release of the petitioner, the SHO, Women Police Station Jagraon shall be informed. The petitioner shall appear before the concerned SHO on first Monday of every month and shall furnish her mobile number to her. The petitioner shall also keep the location of her phone on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

April 08, 2022
sonia gugnani

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