

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-22485-2022 (O&M)
Date of Decision:-16.8.2022

Pal Kaur @ Sukhpal Kaur

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Raj Mohan Singh, Advocate for
Mr. Arpandeep Narula, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavata, AAG, Haryana,
assisted by ASI Sumit Kumar.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.111 dated 22.4.2022, Police Station Kalanwali, District Sirsa, under Section 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985.
2. At the time of issuance of notice of motion, the following order was passed on 23.5.2022:

“Learned counsel contends that the recovery of alleged contraband (100 NRX Buprenorphine Subigual Tablets and 5.50 grams heroin) was made from co-accused-Sarabjit Kaur @ Sarbi, who was arrested at the spot and subsequently upon her disclosure statement, the petitioner has been indicted as an accused. According to him, in the given facts, the custodial interrogation of

the petitioner may not be necessary as she is willing to join the investigation.

Notice of motion for 16.08.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Sumit Kumar, has informed that pursuant to interim directions, the petitioner has since joined investigation and she is not required for any custodial interrogation.
4. The present case pertains to recovery of 5.15 grams of ‘heroin’, which would fall in the category of ‘intermediate’ quantity and which was recovered from co-accused Sarabjit Kaur @ Sarbi, who is stated to have made a disclosure statement nominating the petitioner as an accused. The admissibility and veracity of such like disclosure statement would be debatable.
5. In any case, since the petitioner has already joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 23.5.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

16.8.2022

pankaj

Whether speaking /reasoned
Whether Reportable

(Gurvinder Singh Gill)
Judge

Yes / No
Yes / No