

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-27746-2021 (O & M)
Date of Decision: January 07, 2022

SURJIT KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Ms.Puja Chopra, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

Mr. Ishan Thakur, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking regular bail in FIR No.130 dated 20.05.2021, under Sections 304 and 34 IPC and Section 21 of the NDPS Act added lateron, registered at Police Station Samana, District Patiala.

Learned counsel for the petitioner contends that the deceased had admittedly died due to drug overdose. His body was found at 'katcha' path on 15.05.2021. The father of the deceased had stated that his son had died due to drug overdose and he does not suspect anyone. The FIR has been lodged by the complainant, who is the cousin of the deceased, after about 05 days wherein it is stated that the petitioner and co-accused had administered drug overdose to the deceased. She further contends that only 05 grams of heroin is stated to be recovered from the petitioner which is much below the threshold of small quantity. She also contends that the petitioner is an elected Panch of the village and has been falsely implicated. She was also implicated in other cases and she

is on bail in those cases. The petitioner is in custody for over 07 months in the instant case

Learned State counsel states that charges have been framed but no prosecution witness has been examined. She also contends that the petitioner is also involved in other cases under the NDPS Act.

Learned counsel for the complainant states that in view of the serious allegation against the petitioner, she is not entitled to the concession of regular bail.

Heard.

In view of the above, especially when the petitioner, who is a lady, is in custody for over 07 months, 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 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, Patiala shall be informed and the petitioner shall furnish her mobile number to her and keep the location of her phone on till the conclusion of the trial.

(ANUPINDER SINGH GREWAL)
JUDGE

January 07, 2022

A.Kaundal

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