

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M-24643-2022 (O&M)  
Date of decision: 01.06.2022

Meena

... Petitioner

Vs.

State of Haryana

... Respondent

**CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present: Ms. Kanika Ahuja, Advocate  
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

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**ARVIND SINGH SANGWAN, J. (ORAL)**

Prayer in this petition is for grant of regular bail in FIR No.186 dated 07.03.2022 under Section 20/61/85 of NDPS Act, registered at Police Station Krishna Gate, Thanesar, District Kurukshetra.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance of SI Jaipal, while he was present in police post, a secret information was received that Palo, Parwati and Meena (petitioner) are indulged in the business of selling of ganja and they brought the same in large quantity from Madhya Pradesh, Rajasthan, Delhi and Uttar Pradesh on cheap rates and are selling it to drug addicts in Punjab and Haryana and all these three ladies had gone to Delhi yesterday and they will bring huge

quantity of ganja and can be apprehended. Thereafter, a raiding party was constituted and all three ladies were arrested. It is further stated in the FIR that 9 kg of ganja was recovered from Palo Devi, 08 kg of ganja was recovered from Parwati and from petitioner Meena, 04 kg of ganja was recovered. It is further submitted that it will be a matter of trial whether the recovery effected from all three accused persons will be taken as collectively or when in the person search, separate recovery was effected from them, which would fall in non-commercial quantity, as commercial quantity is 20 kg. It is also submitted that the petitioner is in custody for the last 02 months; she is first offender and she is suffering from jaundice.

In pursuance to the notice of motion order dated 31.05.2022, custody certificate along with Medical Status Report from Medical Officer, District Jail, Kurukshetra, filed in the Court today, is taken on record, in which it is stated that due to persistent poor health of the petitioner, she first sent to LNJP Hospital, Kurukshetra on 09.05.2022, from where, she was sent to Kalpana Chawla Medical College, Karnal and now she has been referred to PGI, Chandigarh on 31.05.2022 for further treatment.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner is a lady, aged about 40 years; she is first offender; investigation qua her is complete and it will be a matter of trial whether recovery effected from her personal search i.e. 04 kg of ganja is to be termed as non-commercial quantity or whether entire recovery from three accused, from their personal search would amount to commercial quantity and also in view of the serious medical

condition of the petitioner, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing her bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ ARVIND SINGH SANGWAN ]  
JUDGE

01.06.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No