

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

201

**CRM-M-32489-2021 (O&M)**

**Date of decision: 11.03.2022**

**BHINDER KAUR**

...Petitioner

**Versus**

**STATE OF PUNJAB**

...Respondents

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

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Present : Mr. L.S. Sekhon, Advocate  
for the petitioner.

Ms. A.K. Khurana, DAG Punjab.

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**VINOD S. BHARDWAJ. J. (ORAL)**

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Prayer in this petition filed under Section 438 CrPC is for grant of anticipatory bail to the petitioner in case FIR No.60 dated 03.04.2021 under Sections 22 and 29 of the NDPS Act, registered at Police Station City-I, Sangrur, District Sangrur.

Learned counsel for the petitioner submits that as per the version of the prosecution one Dharma Singh disclosed that when he was in jail, he used to co-ordinate with one Ram Asra resident of Delhi and ordered for drugs from him through courier for his wife Ramandeep Kaur. Once the said courier got to be delivered to Ramandeep Kaur, she used to further sell the intoxicant tablets to the petitioner-Bhinder Kaur. It is further submitted that the petitioner has been nominated as an accused on the basis of said disclosure made by the co-accused. It is further contended that Ramandeep Kaur, from whom, the petitioner is alleged to be securing her supplies has already been granted the concession of anticipatory bail by this Court vide order dated 19.07.2021 in CRM-M-19877-2021. He submits that the case of the petitioner is at a better footing than that of

co-accused Ramandeep Kaur.

Ms. A.K. Khurana, learned DAG Punjab submits that in terms of the reply filed by way of an affidavit of Deputy Superintendent of Police, Sub Division, Sangrur, it is evident that the petitioner was involved in trade of drugs and used to further sell it to the customers. It is pointed out that there are other cases registered against the petitioner as well and hence her antecedents do not warrant extension of any concession to the petitioner. She, however, could not dispute the fact that the co-accused in the same FIR has already been granted the concession of anticipatory bail vide order dated 19.07.2021 and could not point out as to why the case of the petitioner ought not be treated at parity with the said co-accused in the same case.

Learned counsel for the petitioner has controverted that the petitioner already stands released on bail in other cases registered against her and that incarceration of the petitioner solely on the basis of a disclosure statement of co-accused, in the absence of any recovery from the petitioner, would not mandate custodial interrogation of the petitioner.

Heard learned counsel for the parties.

Considering the submissions advanced by the parties and after noticing the fact that the co-accused Ramandeep Kaur, from whom the petitioner is alleged to have secured her consignment and delivery, has already been granted the concession of anticipatory bail and the case of the petitioner being at par with her, I deem it fit and appropriate to allow the instant petition.

The instant petition is thus allowed as prayed for and the petitioner is ordered to be released on bail in the event of her arrest in the instant case to the satisfaction of the Arresting Officer

However, if required, the petitioner shall continue to join

investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438(2) CrPC.

(VINOD S. BHARDWAJ)  
JUDGE

March 11, 2022  
S.Sharma(syr)

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether reportable        | : | Yes/No |