

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

202

CRM-M-35296-2021

Date of Decision : **February 18, 2022**

SANDEEP KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Through Video Conferencing

Present : Mr. B.S.Jaswal, Advocate
for the petitioner.

Mr. Hittan Nehra, Addl. A.G, Punjab.

JASGURPREET SINGH PURI. J. (Oral)

At the outset, learned State counsel on instruction from ASI Manjit Singh states that in pursuance to the order passed by this Court on 27.8.2021, the petitioner has already joined the investigation and she is fully co-operating with the investigation process and she is not required for custodial investigation. He submitted that the main accused in the present case is Resham Singh and the petitioner was nominated only on the basis of the disclosure statement of the aforesaid co-accused Resham Singh and there was a recovery of only 10 grams of Heroin from the house of the petitioner. He has stated that he has specific instructions from the IO to state that since the petitioner has joined the investigation, she is not required for custodial investigation.

In view of the specific stand taken by the learned State counsel, the bar contained in Section 37 of NDPS Act will not apply in the present case and, therefore, the present petition is allowed and order dated 27.8.2021 is, hereby, made absolute.

February 18, 2022

(JASGURPREET SINGH PURI)

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JUDGE

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