

CRM-M-33978-2022

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

CRM-M-33978-2022

Date of decision: 21.10.2022

Mamta @ Pooja

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Hitesh Verma, Advocate,
for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks regular bail in case FIR No.45 dated 06.05.2022, registered at Police Station Barnala, District Barnala, under Section 302 IPC and Sections 21, 27 and 29 NDPS Act, 1985.

Learned counsel for the petitioner contends that the petitioner has falsely been implicated in the present case; that the petitioner along with co-accused Paramjit Kaur have been indicted in the present case on the disclosure statement of co-accused, Parminder Singh @ Pindi; that allegations against the petitioner are that she along with co-accused Paramjit Kaur had supplied heroin to co-accused Parminder Singh @ Pindi, for a sum of Rs.2,000/-; that recovery of 10 gram heroin and Rs.90,000/- as drug money, had been effected from the petitioner and Paramjit Kaur and that the petitioner has been in custody since 09.05.2022.

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Learned counsel for the petitioner further submits that Navneet Singh had not died of consuming the heroin, rather as per the opinion of doctor, as mentioned in the status report, the cause of death was asphyxia. He further contends that recovery of heroin effected from the petitioner is marginally above the small quantity; that there is no other case registered or pending against the petitioner, and that the witnesses are yet to be examined. On this premise, learned counsel prays that the petitioner be released on bail.

On the other hand, learned State counsel, while opposing the grant of bail to the petitioner, submits that the factum of effecting the recovery of heroin and drug money from the petitioner and the co-accused, substantiates that the petitioner was involved in supplying the drugs; that Parminder Singh @ Pindi had purchased heroin from the petitioner and Paramjit Kaur, and that co-accused Parminder Singh @ Pindi had administered the overdose of intoxicating powder to Navneet Singh.

I have heard the learned counsel for the parties.

The petitioner has been indicted in the present case on the disclosure statement of co-accused Parminder Singh @ Pindi. As stated above, recovery has already been effected. Even as per the opinion of doctor, the cause of death of Navneet Singh was asphyxia.

The petitioner has been in custody since 09.05.2022. As many as 23 prosecution witnesses are yet to be examined. Trial is unlikely to conclude any time soon. There is no other case registered or pending against the petitioner. Therefore, no useful purpose would be served by keeping the petitioner behind the bars.

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In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the learned trial Court/Duty Magistrate.

21.10.2022
parveen kumar

(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No