

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.44868 of 2021

Date of Decision: April 04, 2022

Angrej Kaur alias Ghoti

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.G.L.Bajaj, Advocate,
for the petitioner.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail, pending trial in case FIR No.135 dated 06.08.2021, under Section 22(c) N.D.P.S.Act, 1985, registered at Police Station, Kotbhai, District Sri Muktsar Sahib, who is in custody since her arrest on 06.08.2021.

As per the FIR, on 06.08.2021, in the area of Police Station Kotbhai, 100 tablets of Mefenamic Acid and Dicyclomine Hci and 120 tablets of Etizolam were recovered from the possession of the accused without any permit or licence.

Learned counsel for the petitioner has argued that the petitioner is in custody for a long period and the trial is likely to consume considerable time to conclude as no prosecution witness has been examined so far, though the charges were framed on 25.02.2022. According to him, the

petitioner is not involved in any other case of similar nature, therefore, considering her custodial period, she be released on bail.

On the other hand, learned State counsel assisted by ASI Hardeep Singh does not dispute this fact that no prosecution witness has been examined so far. He has produced the custody certificate of the petitioner by way of affidavit of Iqbal Singh Brar, PPS, Superintendent, District Jail Sri Muktsar Sahib, which indicates that the petitioner is not involved in any other case.

After hearing the learned counsel for the parties, considering the above background and the custody of the petitioner, this court is of the opinion that the possibility of conclusion of trial in near future does not seem to be probable. Admittedly, the material witnesses are the police officials and at present there does not seem to be any possibility of their being won over, therefore, the further detention of the petitioner behind the bars would not serve any useful purpose.

Resultantly, without meaning any expression of opinion on the merits of the case, the petition is allowed and it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate, Sri Muktsar Sahib.

April 04, 2022
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No