

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

CRM-M-47555-2022 (O&M)

Date of decision: 04.11.2022

Jyoti Rani @ Prabhjot Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Pooja Rani, Sister of the petitioner in person.

ASI Jagtar Singh.

HARNARESH SINGH GILL, J. (ORAL)

CRM-41942-2022

Prayer in the present application is for preponement of the main case, which is fixed for 01.12.2022.

It is mentioned in the application that the applicant is suffering from serious ailment, as also mentioned in the order dated 10.08.2022 passed by learned Addl. District Judge, Ludhiana.

Heard.

In view of the grounds mentioned in the application, the same is allowed and the main case is preponed to that of today and taken on the Board for hearing.

CRM-M-47555-2022

Through this petition, the petitioner seeks regular bail in case bearing FIR No.124 dated 16.06.2022 registered under Sections 21, 21-C and 29 NDPS, 1985 (Section 27 NDPS Act 1985, added later on), at Police

Station STF Phase-4, Mohali, District SAS Nagar.

In view of the call given by the Bar Association, Punjab and Haryana High Court, the lawyers are abstaining from work.

Ms. Pooja Rani, sister of the petitioner, appears in person, submits that the petitioner has been in custody since 16.06.2022; that the petitioner has been suffering serious ailments and that the petitioner needs proper care and has been advised surgery(s). She has also placed on record medical report of the petitioner.

I have heard the parties.

As per the case of prosecution, recovery of 990 gram heroin was recovered from the petitioner. Learned Judge, Special Court, Ludhiana dismissed the bail application of the petitioner on the ground that the extent of contraband recovered in the present case, falls under the commercial quantity and Section 37 NDPS Act bars the grant of bail to the accused in such like cases.

This Court has gone through the report of the Medical Officer, Women Jail, Ludhiana. As per the same, the petitioner is suffering from Hepatitis C, and that USG of her whole abdomen was conducted on 01.08.2022. The USG report suggests multiple echogenic foci of variable sizes (largest 18.90 mm) and cholelithiasis and spleen measuring 106 mm. She has been advised surgery and medicine consultation and follow-up.

Keeping in view the serious medical condition of the petitioner, she is ordered to be released on interim regular bail for a period of two months from the date of her release, subject to her furnishing bail and surety

bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petitioner shall surrender before the jail authorities after expiry of the said period.

Disposed of in the above terms.

(HARNARESH SINGH GILL)
JUDGE

04.11.2022
Mangal Singh

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