

JOGINDRO **VERSUS** **..PETITIONER**

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Learned counsel for the petitioner contends that as per the allegations, Raj Kumar-deceased was a drug addict. The complainant who is the brother of the deceased was informed by the deceased that he had been purchasing the narcotics from the petitioner and the co-accused, namely, Deepak Nehrula Singh and Suraj. The deceased had died on account of over dose of drugs. There is nothing to indicate that any drug was administered to the deceased by the petitioner. Even, no complaint was submitted at any forum when the complainant was informed by the deceased that he had been procuring the drugs from the petitioner. Nothing has been recovered from the petitioner and she is not involved in any other case much less under NDPS Act. Even, there is no direct evidence to incriminate the petitioner with the commission of crime.

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I attest to the accuracy and
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that the petitioner had made a disclosure statement to the effect that she had procured the narcotics substance drugs from the co-accused Deepak Nehrula Singh and passed on the same to the deceased for Rs.200/-.

Be that as it may, the deceased was a drug addict. There is no direct evidence to indicate that the petitioner had passed on the drugs or administered the same to the deceased. The petitioner is not involved in any other case much less under NDPS Act. The investigation of the case is complete, challan has been presented and the conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on her furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

The petition is allowed accordingly.

11.04.2023

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(VIVEK PURI)
JUDGE

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