

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

**CRM-M No.6826 of 2023 (O&M)
Date of decision : 20.02.2023**

Surjeeto Bai @ Surjeet Kaur

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Kamal Narula, Advocate for the petitioner.

Mr. Sehajbir S.Aulakh, Asstt. A.G., Punjab.

PANKAJ JAIN, J. (ORAL)

This second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.138 dated 27.08.2022 registered under Sections 304 IPC and Sections 21/29 of the NDPS Act (Section 61 and 85 of NDPS Act) added later on at Police Station City Jalalabad, District Fazilka.

Learned counsel for the petitioner relies upon order passed by Co-ordinate Bench in CRM-M No.55114 of 2022 dated 02.02.2023 titled as *Sandeep Singh Vs. State of Punjab* whereby co-accused namely Sandeep Singh has been granted concession of regular bail. It has been submitted that the petitioner is behind bars since 30.08.2022. More than 5 months have elapsed. Further investigation and trial is likely to take long to get concluded. He further submits that the petitioner has been nominated in the present case merely on a bald allegation and there is no other case pending against the petitioner.

Learned State counsel does not dispute the aforementioned factual assertions made by the counsel for the petitioner based on record. He also does not dispute that the case of the petitioner is at par with that of *Sandeep Singh ibid*.

I have heard learned counsel for the parties and have gone through the records of the case.

In view of the aforesaid facts and without commenting on the merits of the case, keeping in view the incarceration suffered by the petitioner and the fact that there is no other case pending against her, the present petition is allowed. The petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, in addition to conditions that may be imposed by the Trial Court/Duty Magistrate concerned, the petitioner shall remain bound by the following conditions :-

- (i) The petitioner shall not mis-use the liberty granted.*
 - (ii) The petitioner shall not tamper with any evidence oral or documentary during the trial.*
 - (iii) The petitioner shall not absent himself on any date before the trial.*
 - (iv) The petitioner shall not commit any offence similar to the one alleged in the present case.*
 - (v) The petitioner shall deposit his passport, if any with the trial Court.*
 - (vi) The petitioner shall give his cellphone number to the police authorities and shall not change his cell-phone number without permission of the trial Court.*
 - (vii) The petitioner shall not in any manner try to delay the trial.*
- Needless to say that anything observed herein shall not be

construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

20.02.2023
Pooja sharma-I

Whether speaking/reasoned
Whether Reportable :

Yes
No