

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

Sr. No.206

CRM-M-8823-2022 (O&M)
Date of Decision : January 12, 2023

Meenu

...Petitioner

Versus

State of U.T., Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ishan Sharma, Advocate, for the petitioner.

Mr. Akashdeep Singh, Addl. P.P., U.T., Chandigarh.

SUDHIR MITTAL, J. (ORAL)

CRM-7530-2022

Allowed as prayed for.

Exemption sought is granted.

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This petition has been filed for grant of regular bail in FIR No.152, dated 08.12.2021, registered at Police Station Mauli Jagran, Chandigarh, under Section 20 of NDPS, Act 1985.

Learned counsel for the petitioner submits that the petitioner has undergone actual custody in excess of one year. Recovery of less than commercial quantity was made from the petitioner. One other case under the NDPS Act, 1985 is pending against the petitioner. In another case under the same Act, the petitioner has been convicted and released after undergoing the sentence. Thus, the petitioner may be granted regular bail in this case also.

Custody certificate dated 12.1.2023 prepared by Sh. Amandeep Singh, Addl. Superintendent, Model Jail, Chandigarh has been filed in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 01 year, 01 month and 02 days and there are two other criminal cases pending against her.

Learned State counsel submits that the custody certificate is erroneous as the petitioner was convicted in FIR No.358, dated 17.07.2015 and has undergone the sentence. It is further submitted that a perusal of the order passed by the trial Court shows that the petitioner changes her address after a criminal case is registered against her and commits another offence. Thus, she is a habitual offender. He, however, submits that seven Pws remain to be examined.

Keeping in view the fact that the petitioner has undergone actual custody of 01 year, 01 month and 02 days and that the trial is not likely to be concluded at an early date, I deem it appropriate to grant her regular bail. Accordingly, the petition is allowed. She is ordered to be released on bail on her furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

January 12, 2023

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No