

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.213

CRM-M-10663-2023 (O&M)

Date of decision : 17.04.2023

Meena Devi

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Nikhil Vats, Advocate, for the petitioner.

Mr. Deepak Grewal, DAG, Haryana

SUDHIR MITTAL, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No.137 dated 17.06.2022, registered at Police Station Sadar Bahadurgarh, District Jhajjar, under Section 20 of the NDPS Act, 1985 (Section 29 of the same Act added later on).

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of 09 months. Recovery of only 01 Kg. & 13 grams of charas was made from her. The trial is not likely to be concluded at an early date as examination of PWs has not yet commenced. Thus, the petitioner may be granted regular bail.

Custody certificate dated 14.04.2023 digitally signed by Sh. Amit Atri, Deputy Superintendent, District Prison, Jhajjar, has been submitted in Court. The same is taken on record. A perusal thereof shows that the petitioner has undergone actual custody of 09 months and 27 days and there is no other criminal case pending/decided against her.

Learned State counsel concedes that the examination of PWs has not commenced as yet.

Thus, it is evident that the trial is not likely to be concluded at an early date. Keeping in view the period of custody undergone as well as the fact that the contraband recovered from the petitioner is ‘charas’, I deem it appropriate to grant regular bail to the petitioner. The petition is allowed and it is directed that the petitioner be released on bail on her furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned. Since, the petitioner belongs to Bihar, it is directed that she will give her mobile number to the investigating officer as well as the mobile numbers of two other family members residing with her. The same shall be confirmed by the investigating officer before the petitioner is released.

17.04.2023 Ramandeep Singh	(SUDHIR MITTAL) JUDGE
Whether speaking / reasoned	Yes
Whether Reportable	No