

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

CRM-M No.14870 of 2023

Date of decision: 3rd May, 2023

Amandeep Kaur @ Amanpreet Kaur @ Maane

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gagandeep S. Simble, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case bearing FIR No.09 dated 02.03.2023 under Sections 21, 22, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Aur, District Shaheed Bhagat Singh Nagar.

Learned counsel for the petitioner submits that the petitioner, who is a lady, has been falsely implicated in the case in hand on account of the police being inimical towards her. He submits that a highly improbable version has been brought forth that on seeing the police party, the petitioner, who admittedly is a lady, fled from the spot but not before throwing 97 grams of Heroin along with drug money i.e. ₹ 2.00 lacs. He further submits that there was CCTV footage on record which clearly showed that the story brought forth in the FIR in question

was totally concocted and false as the police party could be seen climbing into the house of the accused with a ladder. In support, learned counsel has also placed on record a CD and photographs as Annexure P-2 and P-3 respectively.

On being put to notice, learned State counsel has filed status report by way of an affidavit of Ranjit Singh, PPS, DSP, Sub Division Nawanshahar, District Shaheed Bhagat Singh Nagar, which is taken on record and a copy thereof supplied to the counsel opposite.

Learned State counsel, on instructions, while opposing the prayer and submissions made by the counsel opposite, has drawn the attention of this Court to the affidavit filed and has submitted that the CCTV footage does not pertain to the present FIR but in fact it pertains to an occurrence dated 01.02.2023. He further submits that the petitioner is a woman of criminal antecedents as she is involved in three other cases under the NDPS Act apart from the present one, though she stands acquitted in one of them. Learned State counsel submits that in view of the antecedents of the petitioner, her custodial interrogation would be necessitated.

I have heard learned counsel for the parties and perused the relevant material on record.

In the facts and circumstances as enumerated hereinabove, coupled with the fact that the petitioner is involved in three other cases under the NDPS Act, this Court is not inclined to extend the extraordinary concession of anticipatory bail to the petitioner.

Dismissed.

However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 3, 2023
rps

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