

210 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-20796-2023
DECIDED ON: 20.06.2023

SURJEET KAUR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL.

Present: Mr. Nitish Sharma, Advocate with
Mr. Vikramjeet Singh, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G, Punjab.

VIKRAM AGGARWAL, J (ORAL)

1. The prayer in the present petition preferred under Section 439 Cr.P.C. is for the grant of regular bail to the petitioner in FIR No.19 dated 02.03.2023 registered under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short "NDPS Act") at Police Station City 2, Abohar.

2. On 02.03.2023, one Sikander was apprehended and 15 grams of heroin was recovered from him. On interrogation, he named the present petitioner to be the source of the said recovered heroin. The present petitioner was apprehended on 04.03.2023 and 40 grams of heroin was recovered from her along with a sum of ₹35,000/-.

3. Learned counsel for the petitioner contends that the petitioner is in custody since 04.03.2023 and the heroin alleged to have been recovered from her which is a non-commercial quantity. He further submits that final report under Section 173 Cr.P.C. has been submitted; trial will still take a sufficiently long time and no useful purpose would be served by keeping the

petitioner in custody any longer. He further submits that Sikander was also granted regular bail on 01.04.2023 (Annexure P-2).

4. On the other hand, learned counsel representing the State of Punjab has opposed the bail petition. However, the period of custody of 3 months and 13 days has been admitted in view of the custody certificate filed in the Court today.

5. Admittedly, the petitioner is in custody for the last more than three months. Final report under Section 173 Cr.P.C. has already been submitted. Trial will still take a sufficiently long time. One more case was registered against the petitioner in which she is already on bail. In the considered opinion of this Court, no useful purpose would be served by keeping the petitioner in custody any longer.

In view of the aforementioned facts and circumstances, without expressing any opinion on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the concerned trial Court/Judicial Magistrate/Duty Magistrate, Abohar.

20.06.2023

Prince Chawla

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No