

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-24287-2023
Date of Decision.:09.11.2023

Jaswinder Kaur @ Rodi
Vs.
State of Punjab

.....Petitioner

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. S.S. Gill, Advocate
for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of 3rd petition filed under Section 439 Cr.P.C in case FIR No.106 dated 19.07.2021 registered under Sections 22 of NDPS Act, 1985 registered at Police Station STF, SAS Nagar, Mohali, District Mohali. The earlier two petitions were dismissed as withdrawn vide order dated 25.04.2022 and 19.12.2022 respectively vide Annexure P-1 and Annexure P-2.

2. As per allegations, on 19.07.2021, petitioner along with co-accused were riding on the motorcycle and from their possession 5000 intoxicant tablets contained in 10 boxes each of Tramadol Prolonged release Tablets IP Tramwel SR-100 were recovered. The total weight of the contraband was found to be 499.5 grams which falls in the commercial category.

3. Learned counsel contends that petitioner is in custody for the

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last more than 02 years and 03 months; that she has no criminal antecedents and that trial is not proceeding as even on the last date of hearing it was informed to the Court that out of 16 witnesses cited by the prosecution 10 witnesses have been examined. Learned counsel further contends that trial may take time to conclude and so, petitioner be allowed bail.

4. Learned State counsel concedes the factual position that out of 16 witnesses cited by the prosecution, 10 witnesses have been examined so far. As per the custody certificate placed on record by learned State counsel, petitioner is in custody for the last 02 years 03 months and 20 days. She has no criminal antecedents.

5. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on his furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

November 09, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No