

SUNITA DEVI **VERSUS** **...PETITIONER**

STATE OF PUNJAB **...RESPONDENT**

It is significant to note that the quantity of contraband alleged to have

CRM-M-26102-2023

-2-

been recovered from the possession of the petitioner falls in the category of less than commercial quantity and as such, the stringent provision of Section 37 of NDPS Act are not be attracted in the instant case. The petitioner is in custody for a period of 03 months and 04 days and is not involved in any other case under NDPS Act. The investigation of the case is complete and challan has been presented in the Court. The case of the prosecution is based upon official witnesses only. As such, it cannot be said that the petitioner can in any manner win over or influence the witnesses. The conclusion of trial is likely to take sometime. No fruitful purpose will be served by detaining the petitioner in further custody. As such, sufficient mitigating circumstances are made out to extend the concession of bail to the petitioner.

6. Without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on bail on her furnishing requisite bail bonds to the satisfaction of the learned trial Court/Duty Magistrate concerned.

7. The petition is allowed accordingly.

29.05.2023

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(VIVEK PURI)
JUDGE

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