

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

**CRM-M-28220-2022**

**Date of decision : 04.01.2023**

**Veerpal Kaur**

**...Petitioner**

**Vs.**

**State of Punjab**

**...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Ms. Arshdeep Kaur, Advocate for  
Mr. S.S.Maini, Advocate  
for the petitioner.  
Mr. Gurpreet Singh, Addl.AG, Punjab.  
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**MANOJ BAJAJ, J.**

Petitioner has filed this petition under Section 439 Cr.P.C for grant of regular bail pending trial in case FIR No.51 dated 11.05.2021 registered under Section 22 (c) Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Bajakhana, District Faridkot, who is in custody since her arrest on 11.05.2021.

The allegations in the FIR as noticed by the learned Judge, Special Court, Faridkot in the order dated 31.05.2022 are as under:-

*“As per prosecution story, on 11.5.2021, ASI Jaswinder Singh along with police team was on patrolling in the area of road leading from Lambwali to Bajakhana regarding checking of suspicious persons and when they reached near the shed meant for the passengers for the purpose of their sitting, he noticed applicant/accused Veerpal Kaur and co-accused Gurpreet Singh @ Nikka (non-applicant) were sitting there and they were counting some thing and on seeing poice party, they tried to escape, but were apprehended and 170 strips of Nrx Tramadol Hydrochloride Tablets RL-DOL 100 SR each strip containing 10 tablets total 1700 tablets were recovered.”*

Learned counsel for the petitioner has argued that as per the prosecution, the petitioner along with her co-accused was found in possession of 1700 intoxicant tablets, and after commencement of trial only three

witnesses have been examined by prosecution so far out of total 14 witnesses. She further submits that the co-accused has already been released on regular bail vide order dated 09.03.2022 (Annexure P-2). She prays for bail.

On the other hand, learned State counsel assisted by SI Gurmukh Singh does not dispute the above sequence and fairly states that case of the petitioner is at par with the co-accused, who has already been released on bail. He on instructions states that after framing of charges on 10.08.2021, only three prosecution witnesses have been examined out of total 14 witnesses, and the case is now fixed before the trial Court for recording the remaining prosecution witnesses on 16.01.2023.

After hearing learned counsel for the parties and considering the above background as well as the custody of the petitioner, this Court is of the opinion that the conclusion of trial is likely to consume considerable time, as eleven prosecution witnesses still remain to be examined, therefore, further detention of the petitioner may not serve any useful purpose, who is presently confined in judicial custody after her arrest on 11.05.2021. Apart from it, the remaining prosecution witnesses are police officials and at present, there does not seem to be any possibility of their being won over.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

04.01.2023

vanita

(MANOJ BAJAJ)  
JUDGE

|                             |     |    |
|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |