

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

CRM-M-31871-2022
Date of Decision:-**15.02.2023**

VEERPAL KAUR ALIAS VEERA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Amandeep Singh Saini, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.88 dated 10.5.2022 registered under Sections 25/27-A, 29 of NDPS Act at Police Station Bagha Purana, District Moga.

As per the allegations recorded in the FIR, police received information that there is viral recording of audio call made by the petitioner to some other person, in which, she openly proclaimed that she is providing drugs to the drug-addicts and no one can stop her from doing so. After the registration of the FIR, the petitioner was arrested in this case on 11.5.2022.

However, during investigation no contraband was recovered from her person or premises by the police.

The counsel for the petitioner *inter alia* contends that the allegations made in the FIR are totally false and the petitioner a lady aged about 35 years is behind the bars for the last more than 9 months and she is having no criminal antecedents.

The instant petition is opposed by the State counsel, who on instructions from ASI Kuldeep Raj submits that audio recording of the petitioner became viral and on the basis of the same the FIR in this case was registered. However, the State counsel has not disputed the fact that the petitioner is in custody for the last more than 9 months and is having no criminal history and that no contraband was recovered from person or premises of the petitioner. State counsel further submits that after completion of the investigation, challan has been presented and after framing of charges, now trial has commenced.

I have considered the submissions made by counsel for the parties.

Admittedly in the present case, no contraband was recovered from the person or premises of the petitioner by the police during the investigation of the case. The petitioner is in custody for the last more than 9 months and now is lodged in Judicial custody and after conclusion of investigation challan has been presented and charges have also been framed, but no PW has been examined. It will take substantial time for the trial to conclude.

In view of the above, as it will take time for the trial to conclude, so no purpose is going to be served by keeping the accused behind the bars for any longer period.

Thus without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

15.02.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No