

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

209

CRM-M-29943-2023

Date of decision: 31.08.2023

Usha Rani

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Nidhi, Advocate for
Mr. P.S. Sekhon, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.70, dated 17.06.2021, under Sections 22/25 of NDPS Act, 1985, registered at Police Station Barnala, District Barnala.

2. On 07.06.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked her to join investigation:-

“Learned counsel for the petitioner contends that the case of the prosecution is seriously doubtful merely on the aspect that the petitioner has been dragged in the instant FIR, after two years that too on the basis of disclosure statement of one Amritpal from whom the alleged recovery was effected along with drug money to the tune of Rs.1,00,000/-.”

3. Learned counsel for the petitioner submits that in compliance of order dated 07.06.2023, the petitioner has joined

investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for her custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 07.06.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to her, the State would be at liberty to seek cancellation of the same.

31.08.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

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