

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

201

CRM-M-30496-2023

Date of decision: 21.09.2023

**MANPREET KAUR****...Petitioner****VERSUS****STATE OF PUNJAB****...Respondent****CORAM : HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr.Gurjant Singh, Advocate for  
Mr. Jashandeep Singh Sandhu, Advocate  
for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

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**DEEPAK MANCHANDA, J.(ORAL)**

Petitioner has filed this second petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.174 dated 17.10.2022 under Section 21 (c) of NDPS Act, 1985 (Sections 25 and 29 of NDPS Act added later on), registered at Police Station City Rampura, District Bathinda, Punjab, whereas the earlier bail application vide CRM-M-5397-2023 was dismissed vide order dated 11.04.2023.

2. Learned counsel for the petitioner submits that the earlier petition which was filed vide CRM-M-5397-2023 by the petitioner was for seeking interim regular bail to take care of her children and for making necessary arrangements for them. But the same was dismissed after considering the status from the respondent-State wherein it was mentioned that the husband of the petitioner was taking care of all her children and

presence of petitioner was not required for making such arrangements. The said petition was dismissed on this score alone.

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case. It is alleged that on 17.10.2022, on suspicion, police party headed by ASI Gurtej Singh has searched the car bearing No.PB-40A-2813 and apprehended the present petitioner and co-accused Ravinder Singh @ Ravi, who were sitting in the said car and 345 grams of Heroin was recovered from a black colour envelope lying in the Gear Box of the said car. Learned counsel submits that neither the petitioner is owner of the car nor she was driving the car when the alleged recovery was effected. He further submits that the petitioner is in custody since 17.10.2022 and she is not involved in any other case. He further submits that co-accused of the petitioner, namely, Mandeep Kaur @ Mandeep @ Deepi @ Deep has already been granted regular bail by this Court vide order dated 25.05.2023 passed in CRM-M-4557-2023. Learned counsel also submits that challan stands presented, charges have been framed and out of total 22 prosecution witnesses, none has been examined till date and the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

4. On the other hand, learned State counsel has opposed the aforesaid prayer on the ground that allegations levelled against the petitioner are serious in nature as recovery of 345 grams of Heroin has been effected, which falls under the commercial quantity. However, he has not disputed the fact that challan stands presented, charges have been framed and out of total 22 prosecution witnesses, none has been examined. He also

does not dispute that co-accused of the petitioner-Mandeep Kaur has been granted regular bail by this Court.

5. I have heard learned counsel for the parties.

6. Petitioner is in incarceration since 17.10.2022.

7. It is not a case made out by the respondent-State that in case concession of bail is granted to the petitioner, he would hamper the course of free and fair trial. Further, since the investigation has already been completed, challan stands presented, charges have been framed and out of total 22 prosecution witnesses, no witness has been examined till date and the fact that the petitioner is not involved in any other case, the co-accused of the petitioner has already been granted regular bail by this Court and that the trial would take sufficient time to conclude, therefore, no useful purpose would be served in keeping the petitioner behind the bars.

8. 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 concerned.

9. The petition is allowed.

**September 21, 2023**

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**(DEEPAK MANCHANDA)  
JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No