

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

CRM-M-31040 of 2023

Date of Decision: July 13, 2023

Kamaljit Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Chandan Singh Rana, Advocate
for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.69 dated 15.04.2023 registered under Section 21 and under Section 29 (added later on) of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Jagraon, District Ludhiana.

Status report by way of affidavit of Shri Harvinder Singh, Deputy Superintendent of Police (D), Jagraon, District Ludhiana (Rural) on behalf of the respondent- State has been filed.

As per allegations, 257 grams of heroin was recovered from the possession of co-accused Buta Singh. It was disclosed in disclosure statement of said Buta Singh that he had purchased 80 grams of heroin from petitioner – Joyti alias Kamaljit Kaur and had purchased another 200 grams of heroin from one Vishal Kalayan @ Locha.

Learned State Counsel concedes that except for the disclosure statement of co -accused, there is no other evidence against the petitioner.

As per the police report, petitioner has no criminal antecedents.

In view of the above submissions, but, without

commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail by the Investigating Officer subject to his furnishing bail bonds/ surety bonds to the satisfaction of Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

However, in case petitioner fails to co-operate in the investigation, the respondent- State will be at liberty to approach this Court for cancellation of bail.

Disposed of.

July 13, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No