

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

217

2023:PHHC:149557

CRM-M-33027-2023 (O&M)

Date of decision: November 23rd, 2023

Neenu Arora

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Gautam Thapar, Advocate
for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.115 dated 07.05.2022 under Section 22 of the NDPS Act registered at Police Station Rama Mandi, District Jalandhar.

2. No ground is made out for extending the concession of regular bail to the petitioner as the recovery effected from her of 12 intoxicating injections has been classified as commercial under the NDPS Act. In addition, as has also been apprised by the learned State counsel, on instructions, that after the charges were framed, as many as five witnesses out of the 11 cited by the prosecution stand examined, hence, trial would not take much time to conclude. Furthermore, the learned State counsel has informed the Court that the factum of five other criminal cases, which stand registered against the petitioner including one under the NDPS Act, has been withheld from this Court.

3. Learned counsel appearing for the petitioner submits that the factum of the pendency of the case under the NDPS Act had not been withheld from this Court, rather he had no instructions qua the same.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. The petitioner has been in custody since 07.05.2022 and the next date fixed before the trial Court is 29.11.2023 when the remaining six prosecution witnesses are likely to be examined. In the circumstances, there is every likelihood that the trial would be concluding in the near future.

6. This Court, in the facts and circumstances as enumerated hereinabove, does not deem it fit to extend the concession of bail to the petitioner.

7. Dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

9. At this stage, learned counsel for the petitioner submits that during the pendency of the instant petition, the son of the petitioner was gunned down and his *bhog* ceremony is to be performed on 25.11.2023 at his native place in Jalandhar. A prayer has, therefore, been made for extending the concession of interim bail to the petitioner so that she could participate in the *bhog* ceremony of her deceased son.

10. Learned State counsel, on instructions from ASI Mohan Lal, has not disputed that the son of the petitioner has

expired and his *bhog* ceremony is due to take place on 25.11.2023 at Rama Mandi, Jalandhar.

11. In the circumstances, the petitioner will be released on interim bail on 24.11.2023 by the jail authorities subject to her furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate and shall surrender back to the jail authorities concerned on 04.12.2023 before 05:00 PM.

12. The instant petition stands disposed of accordingly.

November 23rd, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No