

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

225 CRM-M-34482-2023
Date of Decision.:16.10.2023

SunitaPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Sachin Ohri, Advocate
for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.38 dated 09.06.2023 registered under Sections 21, 27(A) of NDPS Act registered at Police Station Behrampur, District Gurdaspur.

2. As per prosecution allegations, 02 gram of Heroine and drug money of ₹1,600/- was recovered from the possession of the petitioner on 09.06.2023.
3. It is contended by learned counsel that recovered quantity of contraband falls in the small quantity and that bail has been declined to her by Special Court for the recovery of ₹1,600/- as drug money. Learned counsel contends that it is a matter of trial as to whether the recovered quantity of ₹1,600/- can be connected with any alleged drug money.

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4. Status report by way of an affidavit dated 30.08.2023 of Shri Baljit Singh, PPS, Deputy Superintendent of Police, PBI-cum-Dinanagar, District Gurdaspur along with custody certificate has been filed on behalf of respondent- State.
5. Learned State counsel does not dispute the recovery of 02 gram of Heroine only from the petitioner. However, it is pointed out that petitioner is involved in two more cases pertaining to NDPS Act. However, it is conceded that petitioner is on bail in both those cases.
6. As per the custody certificate petitioner is in custody for the last 04 months and 07 days.
7. Having regard to the recovery of 02 gram of Heroine besides the money of ₹1,600/- but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on her furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

October 16, 2023
Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No