

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-37205-2022 (O&M)

Date of decision : 19.1.2023

Usha Rani

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Kanwaljeet Singh Brar, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.144 dated 12.7.2022 registered under Sections 21(b), 29 of NDPS Act at Police Station City Kotkapura, District Faridkot.

Allegations against the petitioner are that the police arrested her son Ashwani Kumar and recovered 15 grams of Heroin and cash worth ₹ 1.05 lakh from him on 12.7.2022 and the petitioner was named as accused on the basis of the disclosure made by said Ashwani Kumar.

On the last date of hearing, detailed order was passed by this Court granting interim bail to the petitioner with further direction to join investigation.

Today, counsel for the petitioner apprised the Court that the petitioner in compliance of previous order, has joined the investigation with the police. State counsel on instructions from ASI Bhupinderjit Singh has

not refuted the aforesaid assertions made by the counsel for the petitioner

and further submits that the petitioner is not required by the police for further investigation or custodial interrogation and that the petitioner is having no criminal history.

Present case being relating to recovery of non-commercial quantity of Heroin, is not covered under rigors of Section 37 of NDPS Act. Further, the petitioner, who is having no criminal history, is not required by the police for any further investigation or custodial interrogatin.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 23.8.2022 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

January 19, 2023
Paritosh Kumar

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