

211 IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

CRM M-35708-2023 (O&M)  
Date of Decision: 06.09.2023

Baljit Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. P.S. Sekhon, Advocate, for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

**MAHABIR SINGH SINDHU. J.**

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.61 dated 31.03.2023, under Section 22 and 29 of NDPS Act, registered at Police Station City Sunam, District Sangrur.

2. Petitioner has been nominated in the present case on the basis of disclosure of co-accused, namely, Jati Singh. Allegations are that 120 strips of intoxicant tablets, make Alprasafe-0.5, each strip containing 10 tablets; total 1200 tablets were recovered effected from said Jati Singh.

3. This Court vide order dated 08.08.2023, granted interim bail to petitioner and the same reads as under:-

*“Learned counsel for the petitioner, while making reference to para No.10 of the petition, submits that she has been falsely implicated by the police.*

*Let a specific affidavit in this regard be filed by the Senior Superintendent of Police, Sangrur.*

*Posted on 06.09.2023, for further consideration.*

*In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of her arrest, the Arresting Officer would admit her to interim bail, till the next date of hearing, on furnishing adequate*

*bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”*

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, she joined investigation and her custodial interrogation is not required by the Police.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from SI Jatinder Kaur and fairly submitted that custodial interrogation of the petitioner is not required at this stage.
6. In view of the above, interim order dated 08.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending application(s), if any, shall also stand disposed off.

06.09.2023

jyoti3

(MAHABIR SINGH SINDHU)  
JUDGE

|                             |        |
|-----------------------------|--------|
| Whether speaking/reasoned : | Yes/No |
| Whether Reportable:         | Yes/No |