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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M 39207-2023
Date of Decision 23.08.2023

Pinki*Petitioner*
versus
State of Punjab ...*Respondent*

Coram Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Sachin Ohri, Advocate for the petitioner

Rajbir Sehrawat, J, (Oral)

1) The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory bail to the petitioner in case FIR No. 27 dated 21.07.2023, registered under Sections 21, 22, 29, 61 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 added later on vide DDR No. 19 dated 22.07.2023) at Police Station Nangal Bhoor, District Pathankot (Annexure P1).

2) It is submitted by counsel for the petitioner that the case against the petitioner is totally false and fabricated. The petitioner is not involved in the crime as alleged against her. Even as per the story of the prosecution, the name of the petitioner has surfaced during interrogation of the co-accused from whom 78 grams of heroin has been recovered. The petitioner's name has unnecessarily been dragged in the case only on the statement of the co-accused at the instance of the police. There is no other material against the petitioner. The petitioner shall join the investigation as and when required by the police. Therefore, the petitioner deserves to be protected against her

arrest.

- 3) Notice of motion.
- 4) Mr. Sandeep Singh, Additional Advocate General, Punjab accepts notice on behalf of the respondent – State.
- 5) Counsel for the State, being assisted by SI Parlad Singh has submitted that the name of the petitioner has come up in the case on the statement of the co-accused, in which he has specifically disclosed that he had purchased the recovered material from the petitioner. The petitioner is habitual of committing crime of drugs peddling. As many as four more cases are pending against her, out of which, three cases are under the NDPS Act. The investigation is at the initial stage. The police are to unearth the true dimensions of the crime committed by the petitioner. Therefore, the custodial interrogation of the petitioner is imperative in this case. Hence, the petitioner does not deserve any concession of grant of anticipatory bail.
- 6) In view of the facts and circumstances available on the file, as well as the above said submissions made by counsel for the State, this Court does not find it appropriate to interfere in the matter so as to grant the concession of anticipatory bail to the petitioner.
- 7) Dismissed.

(Rajbir Sehrawat)
Judge

August 23, 2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No