

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43116-2023
Date of Decision: 06.09.2023

Sinder Kaur

. . . . Petitioner

Vs.

State of Punjab

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Yashpal Thakur, Advocate, for the petitioner.

Mr.M.S. Nagra, AAG, Punjab.

DEEPAK GUPTA, J.

Prayer in this petition is for grant of anticipatory bail in case FIR No.128 dated 28.06.2023 registered at Police Station Lehra, District Sangrur, under Sections 22 and 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 [for short 'the NDPS Act'].

2. Status report by way of affidavit of Shri Deepak Rai, PPS, Deputy Superintendent of Police, Sub Division, Lehra, District Sangrur, on behalf of the State, is filed today in Court and the same is taken on record.

3. As per prosecution allegations, secret information was received against one Sukhwinder Singh @ Karma, who was habitual of selling the intoxicant tablets and that on 28.06.2023, he was likely to bring the contraband tablets. Necessary nakabandi was conducted and said Sukhwinder Singh @ Karma was found coming in a car. 11600 intoxicants tablets marka 'Clevedol-100SR Tramadol Hydrochloride' with specific batch number were recovered from his possession after making all necessary statutory compliances. During disclosure statement, said Sukhwinder Singh @ Karma nominated Paramjit Singh @ Pammi, to be the supplier. On that basis, Paramjit Singh @ Pammi was nominated as accused and arrested on

12.07.2023. Said Paramjit Singh's disclosure statement revealed that he along with his brother-in-law Bantu and Sulinder Singh @ Bona had purchased 75000 of intoxicant tablets from a person in Delhi. Bantu had taken the parcel containing 25000 intoxicating tablets, whereas he had brought 50000 tablets in a small vehicle. He also disclosed that he had supplied 15000 tablets to Sukhwinder Singh @ Karma; 10000 to Gora Singh; 15000 to Sinder Kaur (present petitioner); 8500 to Happy; whereas 1500 tablets were still kept with him. On the basis of this disclosure statement, petitioner Sinder Kaur and other co-accused named by Paramjit Singh @ Pammi were nominated in this case. Pursuant to the disclosure statement, 1500 intoxicant tablets marka 'Clovedol-100SR Tramadol Hydrochloride' were recovered from the possession of said Paramjit Singh @ Pammi.

4. It is contended by ld. counsel that petitioner has been falsely implicated; that no recovery was effected from her; that she was not found at the spot and that she is ready to join investigation.

5. Strongly opposing the bail petition, ld. State counsel has drawn attention towards the status report submitted by the police revealing that petitioner is involved in similar cases, inasmuch as she has already been convicted in case FIR No.80 dated 27.07.2014 registered at Police Station Bareta under Section 15 of the NDPS Act; whereas, three more cases bearing FIR No.47 dated 05.06.2017 registered at Police Station Dharamgarh under Section 20 of the NDPS Act; FIR No.4 dated 15.01.2018 registered at Police Station Dharamgarh under Section 20 of the NDPS Act and FIR No.291 dated 04.12.2023 registered at Police Station Jakhal under Section 15 of the NDPS Act are pending against her. Besides, she has also been convicted in one more case bearing FIR No.7 dated 15.01.2017 registered at Police Station

Dharamgarh under Sections 61/1/14 of the Excise Act. Ld. State counsel submits that considering the fact that petitioner is involved in drug trafficking, her custodial interrogation is required so as to recover the 15000 intoxicating tablets as purchased by her from co-accused Paramjit Singh @ Pammi.

6. Heard.

7. I agree with the contentions of ld. State counsel. Having regard to the criminal antecedents of the petitioner and the specific disclosure statement made by co-accused Paramjit Singh @ Pammi, custodial interrogation of the petitioner may be necessary so as to effect the recovery of intoxicating tablets purchased by her. As such, this Court is not inclined to grant anticipatory bail to the petitioner.

Dismissed.

(DEEPAK GUPTA)
JUDGE

06.09.2023

Vivek

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |