

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-48868- 2022 (O&M)

Date of Decision:05.01.2023

Kaki Kaur

... Petitioner

V/s.

State of Punjab

... Respondent

CORAM: **HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present : Mr. G. S. Sandhu, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG, Punjab.

DEEPAK MANCHANDA, J.(Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C. in case FIR No. 113 dated 11.08.2022 under Section 21(b) of NDPS Act registered at Police Station Sadar Malout, District Sri Muktsar Sahib who is alleged to have in conscious possession of 06 grams of heroin, which is a non-commercial quantity.

Learned counsel for the petitioner contends that the petitioner is in custody since 12.08.2022. He submits that the petitioner is a household lady and is having two children aged about 10 and 14 years. He further submits that the conclusion of trial will take sufficient time, therefore, the petitioner be enlarged on bail.

Custody certificate has been filed by the respondent-State, which is taken on record.

Even though learned counsel appearing on behalf of

respondent-State, on instructions from the Investigating Officer, opposes the grant of regular bail to the petitioner, while submitting that the petitioner is a habitual offender and the offence alleged against the petitioner is serious in nature and she is also involved in other cases of similar nature.

I have heard learned counsel for the parties.

Petitioner is in incarceration since 12.08.2022. It is not a case made out by the respondent-State that the concession of bail if granted to the petitioner, she would hamper the course of free and fair trial. Further, as the trial would take sufficient time, no useful purpose would be served in keeping the petitioner behind bars.

Resultantly, without commenting on the merits of the case, it is ordered that the petitioner be released on regular bail subject to her furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court concerned.

The petition is allowed.

(DEEPAK MANCHANDA)
JUDGE

05.01.2023
seema

Whether speaking/reasoned	Yes
Whether Reportable	Yes /No