

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.59554 of 2022
Date of decision: 21st March, 2023

Lakshmi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. A.S. Dhaliwal, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 439 Cr.P.C. for grant of the concession of bail in case bearing FIR No.83 dated 08.06.2021 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Mehatpur, District Jalandhar.

Learned counsel for the petitioner inter alia submits that even though the FIR was registered way back on 08.06.2021, wherein it was alleged that the petitioner was found in possession of 12 intoxicant injections (commercial quantity), however, trial had not yet concluded. He submits that in the circumstances, further incarceration of the petitioner, who is a lady, would serve no useful purpose and she be enlarged on bail.

Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions submits

that the petitioner had absconded during the pendency of the trial and was declared a proclaimed offender. It was only as recently as on 02.07.2022 that she was arrested. He further submits that the petitioner is a woman of criminal antecedents as she is involved in a number of criminal cases including two under the NDPS Act. He, still further submits that the trial shall not take much time to conclude as only six prosecution witnesses out of seven cited remain to be examined.

I have heard learned counsel for the parties and perused the relevant material on record.

The delay in the trial has been on account of the conduct of the petitioner herself, who absconded during the pendency of the trial. Hence, the petitioner cannot now turn around and blame the Court concerned for not having concluded the trial expeditiously. Moreover, in view of the criminal antecedents of the petitioner, who admittedly is involved in two other criminal cases under the NDPS Act, besides the present one, this Court does not deem it fit to allow the instant petition. The petition as such is dismissed. However, it is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 21, 2023

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No