

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-61053-2022

Date of Decision: 27.04.2023

Suman Kaur

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. G.S. Aulakh, Advocate for the petitioner.

Mr. J.P. Ratra, Senior DAG, Punjab with
Mr. Jaspal Singh Guru, AAG, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

1. Reply dated 27.04.2023, filed by way of affidavit of Sh. Rashpal Singh, Deputy Superintendent of Police, Sub Division Bhuchio, District Bathinda, on behalf of respondent-State, is taken on record. Custody certificate dated 26.04.2023 filed by learned counsel for the State is also taken on record.

2. The petitioner has filed the present petition under Section 439 Cr.P.C., for grant of regular bail in case FIR No. 0131 dated 09.10.2021 registered under Section 22(c) of the NDPS Act at Police Station Nehianwala, District Bathinda.

3. According to the prosecution story, on 09.10.2021, the petitioner along with her co-accused was apprehended with conscious possession of 190 strips of Corlividol-100 SR containing 10 tablets each

i.e. 1900 tablets, without any licence or permit.

4. Learned counsel, *inter alia*, contends that the petitioner has falsely been implicated in the present case. The quantity contraband recovered from the petitioner is marginally above the 'commercial quantity'. Petitioner is not involved in any other case. She is in custody since 09.10.2021. The trial is likely to take long time. No useful purpose will be served by further detention of the petitioner in custody. Thus, it is prayed that she may be released on regular bail.

5. On the other hand learned State counsel vehemently opposed the submissions of learned counsel for the petitioner. However, he fairly conceded the fact that the petitioner is not involved in any other case.

6. Keeping in view the facts and circumstances of the case, period of custody and the fact that the quantity of contraband recovered from the petitioner is marginally above the 'commercial quantity', but without commenting anything on merits of the case, the present petition is allowed.

7. Petitioner-Suman Kaur, is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Chief Judicial Magistrate, concerned.

27.04. 2023
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(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No