

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.46 of 2023

Date of decision: 28th July, 2023

Anshu Bala

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. J.S. Dadwal, Advocate for the petitioner.

Mr. H.S. Sitta, Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0254 dated 11.10.2022 under Sections 21, 21-C of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Special Task Force, STF Wing, Mohali.

2. On 22.02.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked her to join investigation.

“Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The

*brother of the petitioner namely Amandeep Jethi is a General Secretary of Congress Party, Ludhiana. She was nominated on the basis of disclosure statement made by co-accused namely Palwinder Singh, from whom recovery was effected. It is further submitted that entire family of the petitioner has been roped in. Her sister-in-law Tanuja @ Tannu has already been granted interim bail by a Coordinate Bench of this Court in **CRM-M-52226-2022** dated 22.12.2022 (Annexure P-2).”*

3. Learned counsel for the petitioner submits that in compliance of the order dated 22.02.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Makhan Singh, does not dispute the factum of the petitioner having joined investigation, however, he submits that she has not cooperated with the investigating agency inasmuch as she has refused to reveal the source from where the contraband recovered was procured.

5. On a pointed query put to the learned State counsel qua the antecedents of the petitioner, he on instructions has informed the Court that she has clean antecedents and is not involved in any other criminal case, much less under the NDPS Act.

6. In the circumstances, the petition is allowed and the interim order dated 22.02.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner

misuses the concession of bail granted to her, the State would be at liberty to seek cancellation of the bail granted to her.

(MANJARI NEHRU KAUL)
JUDGE

July 28, 2023
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No