

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(103)

CRM-M-61892-2023
Date of Decision:-08.12.2023

Sonam Devi
.....Petitioner

Versus

State of Haryana
.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Parminder Walia, Advocate for the petitioner.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No. 331 dated 05.11.2023 under Sections 21, 29, 61 and 85 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Kalka, District Panchkula (Annexure P-1).
2. Learned counsel for the petitioners submits that the petitioner is being nominated by a particular officer against whom she has already made a representation to the Senior Superintendent of Police, Panchkula for conducting a fair enquiry in the present FIR. He further submits that the quantity recovered from the main accused is also non-commercial and more so, she is being falsely implicated as the main accused was the tenant of the present petitioner.
3. Learned counsel for the petitioner submits that the petitioner is ready to join the investigation and demonstrate that she has no role to play in the said offence.

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5. Mr. Anmol Malik, DAG, Haryana, accepts notice on behalf of respondent-State and has vehemently opposed the bail on the ground that the petitioner is a habitual offender and initially one FIR No. 165 dated 13.08.2022 had been lodged under Section 61/1/14 of the Excise Act and subsequently, two other FIRs one bearing FIR No. 202 dated 26.09.2022 and another bearing FIR No. 89 dated 24.03.2023 were also lodged in which the petitioner was nominated.
6. Learned State counsel has submitted that, in fact, there is one more FIR i.e. FIR No. 310 dated 17.10.2023 under Sections 186, 332, 353 of IPC has also been lodged and hence, the antecedents of the petitioner are not clean.
7. Heard learned counsel for the parties.
8. Although, the quantity is non-commercial but the disclosure statements specifically records that the petitioner is engaged in sale and supply of the heroin to the drug addicts in the said area and considering the antecedents of the petitioner and the fact that despite being aware that she was on bail in earlier FIRs, she has been nominated by different people in different FIRs for which her custodial interrogation is much required.
9. In light of the above, I do not find any merit in the present petition.
10. Accordingly, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

December 08, 2023
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No