

2252024:PHHC:015273

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-2173-2024

Date of Decision: February 05, 2024

KAMLA @ BILLI.....Petitioner

Versus

STATE OF PUNJAB.....Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Manoj R. Sharma, Advocate for the petitioner.
Mr. Gurlal Singh Dhillon, AAG, Punjab.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 439 CrPC, prayer has been made for grant of regular bail in case FIR No. 211 dated 07.10.2023 registered under Sections 21-A, 21, 27-A and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Gurdaspur, District Gurdaspur wherein, the petitioner has been implicated against the alleged recovery of 30 grams of heroin along with Rs.3500/- drug money and one weighing machine.
2. The prayer made herein has been opposed at the instance of learned State counsel while submitting that the petitioner is involved in three other cases under NDPS Act, though, relating to non-commercial quantity.
3. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

4. In the present case, the alleged recovery is of non-commercial quantity i.e. 30 grams of heroin and the petitioner is already behind the bars for a period of almost three months and 20 days. As per the instructions received by learned State counsel from ASI Harjinder Singh, the investigation already stands concluded except for receipt of CFSL report. Moreover, the other cases involving the petitioner relate to non-commercial quantity and even the trial is likely to take some time, as such, this Court does not find justification to extend her incarceration any further.

5. In view of the above, without commenting anything on the merits, lest it may prejudice the case of either side, the present petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate.

05.02.2024
Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>