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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3342-2024

Date of Decision: 02.07.2024

Kulwinder Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioner.

Mr. Amandeep Singh DAG, Punjab.

AMARJOT BHATTI, J.

1. Petitioner Kulwinder Kaur has filed anticipatory bail under Section 438 Cr.P.C. in FIR No. 0152 dated 26.12.2023 registered under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (offence under Section 29 of NDPS Act added later on) at Police Station Haryana, District Hoshiarpur.
2. In this case, petitioner was granted relief of *interim* bail as per order dated 30.01.2024 which runs as under :-

“The petitioner seeks grant of anticipatory bail in respect of a case registered against her vide FIR No.0152 dated 26.12.2023, Police Station Haryana, District Hoshiarpur, under Section 22 of NDPS Act (Section 29 NDPS Act added later on).

As per the case of prosecution co-accused Dalbir Singh @ Sony was apprehended by the police and upon his search he was found to be carrying 262 grams of intoxicant powder. It is further the case of prosecution that during the course of

interrogation said co-accused disclosed that he had purchased the same from the petitioner.

Learned counsel for the petitioner submits that it is admitted case of the petitioner that the petitioner was not found at the spot and came to be nominated subsequently on the basis of a disclosure statement which would hardly carry any evidentiary value.

Notice of motion for 01.5.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to her furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”

3. Learned counsel representing the State pointed out that present petitioner Kulwinder Kaur has already joined the investigation and she is not required for any other purpose.

4. Keeping in view the aforesaid facts, *interim* bail already granted in favour of present petitioner vide order dated 30.01.2024 as referred above stands confirmed, subject to the conditions as enshrined under Section 438(2) Cr.P.C.

5. Bail application is accordingly allowed.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

02.07.2024

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Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No