

In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-6336-2022 (O&M)
Date of Decision:- 05.02.2024

Banso Kaur ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.N.Ganeriwala, Advocate, for the petitioner.

Mr. Randeep Partap Singh, Sr. DAG, Punjab,
assisted by ASI Sukhwinder.

FIR NO.	DATE	POLICE STATION	OFFENCES
56	23.5.2021	Barnala District Barnala	20, 21, 22 of NDPS Act

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of regular bail in respect of aforementioned FIR.
2. The allegations, in nutshell are that the petitioner was found in possession of 750 tablets of ‘Tramadol’, total weighing 305 grams.
3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and in any case has been behind bars since the last about 2 ½ years and since only 4 out of cited 9 Pws

have been examined till date, the petitioner need not be detained any longer.

- 4. Opposing the petition, learned State counsel has submitted that since the petitioner was caught red-handed at the spot, no leniency is warranted in the matter of grant of bail particularly when the recovery pertains to a ‘commercial quantity’. Learned State counsel has informed that the petitioner as on date has been behind bars since the last about 2 ½ years. It has also been informed that although the petitioner was involved in one more case under NDPS Act but already stands acquitted.
- 5. This Court has considered the rival submissions.
- 6. Having regard to the fact that the petitioner is a lady and has been behind bars for a substantial period of about 2½ years and is otherwise not involved in any other case, further detention will not serve any useful purpose. Conclusion of trial is likely to consume time inasmuch as only 4 out of cited 9 PWs have been examined till date. The petition, as such, is accepted and the petitioner is ordered to be released on bail subject to her furnishing bail bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

05.02.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No