

2024:PHHC:033284

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

219

CRM-M-6229-2024
Date of decision : 07.03.2024

Veerpal Kaur @ Geeta Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. L.S. Sekhon, Advocate
for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.200 dated 02.10.2023, registered for the offences punishable under Sections 22 and 29 of NDPS Act, 1985 at Police Station Bhikhi, District Mansa.
2. Compliance report by way of affidavit of Gurpreet Singh, PPS, Deputy Superintendent of Police, Sub-Division Mansa, District Mansa and custody certificate of the petitioner have been filed. The same are taken on record.
3. As per the FIR, one Jatinder Singh was arrested and found to be in possession of 50 tablets of Tramadol. On his disclosure, present petitioner was nominated. She suffered statement which led to further recovery of 160 gms of Tramadol from her house.
4. Counsel for the petitioner submits that even if both the quantities of the contraband recovered from the two accused that

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clubbed, the same shall still fall short of the commercial quantity. He thus submits that rigors of Section 37 will not be applicable. Challan already stands presented. Most of the witnesses are official and thus custody of the petitioner should not be prolonged as a punitive measure.

5. State counsel however submits that the petitioner is a habitual offender having 02 other cases. However, he does not dispute that so far as the present case is concerned, challan stands presented and the charges stand framed. The recovery effected from the two accused is intermediate.

6. Without further commenting on the case, keeping in view the incarceration suffered by the petitioner and the quantity involved in the present case, the present petition is allowed. Petitioner is ordered to be released on regular bail on her furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, in addition to conditions that may be imposed by the Trial Court/Duty Magistrate concerned, the petitioner shall remain bound by the following conditions :-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence oral or documentary during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit his passport, if any with the trial Court.
- (vi) The petitioner shall give his cellphone number to the police authorities and shall not change

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his cell-phone number without permission of the trial Court.

(vii) The petitioner shall not in any manner try to delay the trial.

7. In case of breach of any of the aforesaid conditions and those which may be imposed by the Trial Court, the prosecution shall be at liberty to move cancellation of bail of the petitioner.

8. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

07.03.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No