

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(108)

CRM-M-7407-2024
Date of Decision:-13.02.2024

Sarabjit Kaur @ Rodi
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Avtar Singh Syan, Advocate for the petitioner.
Mr. Siddharth Attri, AAG, Punjab.

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 case FIR No. 05 dated 13.01.2024 registered under Sections 21, 29, 61 and 85 of the Narcotic Drugs and Psychotropic Substances Act, at Police Station Bhadson, Patiala.
2. Learned counsel for the petitioner has submitted that the petitioner was not named in the FIR and only a small quantity of 2.5 grams of smack was recovered from the accused who nominated the present petitioner and hence relies upon the judgment of the Hon'ble Supreme Court in *Tofan Singh's case* to substantiate his averments.
3. Notice of motion.
4. Mr. Siddharth Attri, AAG, Punjab accepts notice on behalf of respondent-State and has vehemently opposed the grant of concession to the petitioner and has submitted that the petitioner is a habitual offender

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and is dealing in the contraband repeatedly, which is apparent from her antecedents, whereby, 10 other FIRs have been registered against her, as detailed in the order passed by the learned trial Court.

5. At this stage, learned counsel for the petitioner submits that FIR No. 01 and FIR No. 08 are the same FIRs and there are only 09 FIRs against the petitioner.

6. After hearing learned counsel for the parties and the ratio of law laid down by the Hon’ble Supreme Court of India in the case titled as “*State of Haryana Vs. Samarth Kumar*” 2022 (3) R.C.R. (Criminal) 991, the petitioner is not entitled to the extraordinary concession of anticipatory bail and accordingly, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

February 13, 2024
Parul

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