

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224 (02 cases)	CRM-M-9621-2023
Rani	Petitioner
Vs.	
State of Punjab	Respondent
	CRM-M-14824-2023
Manpreet Kaur	Petitioner
Vs.	
State of Punjab	Respondent

Date of Decision.:11.01.2024

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. L.S. Sekhon, Advocate for the
petitioner in CRM-M-9621-2023.

Mr. J.S. Sandhu, Advocate for the
petitioner in CRM-M-14824-2023.

Mr. Karunesh Kaushal, AAG, Punjab
assisted by SI Santokh Singh.

DEEPAK GUPTA, J. (ORAL)

In the two petitions titled above, both filed under Section 439 Cr.P.C, petitioners pray for grant of regular bail in case FIR No.64 dated 18.09.2022 registered under Sections 22 of NDPS Act registered at Police Station Bakhshiwala, District Patiala.

2. As per the prosecution allegations, on 18.09.2022 on the basis of secret information two petitioners Rani and Manpreet Kaur were arrested

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along with co-accused Gurmeet and Charanjit. On search, from the polythene bag carried by petitioner- Rani 550 loose intoxicant tablets containing salt of Tramadol Hydrochloride were recovered. The weight of the same works out to be 297 gms. From the possession of co-accused Manpreet Kaur 540 loose capsules containing the same salt of Tramadol Hydrochloride were recovered and the weight thereof works out to be 280 gms.

3. It is contended by learned counsel for the petitioners that petitioners have been falsely implicated; that they are in custody for the last more than 01 year and 03 months and that trial may take time to conclude and so, petitioners be allowed bail.

4. Learned State counsel opposed the bail petitions by pointing out towards the commercial category of the contraband recovered from the two petitioners but it is conceded that petitioner Manpreet Kaur has no criminal antecedents. As far as petitioner Rani is concerned, she is stated to be involved in one more case pertaining to NDPS Act as per the custody certificate placed on record. Both the petitioners are in custody for the last 01 years 03 months and 22 days. It is also informed by learned State counsel, on instructions from SI Santokh Singh, that out of 09 witnesses cited by the prosecution, 05 have been examined so far. Thus, trial may take time to conclude.

5. Having regard to all the above facts and circumstances, particularly the custody period of the petitioners, the rigors of Section 37 of

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the NDPS Act is required to be balanced with Article 21 of the Constitution of India guaranteeing Fundamental Right to life and liberty of which speedy trial is a facet.

6. As such, without commenting anything further on the merits of the case, both the petitions are allowed and petitioners are admitted to bail on their furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

January 11, 2024
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No