



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-10917-2024

Decided on : 07.08.2024

RANJIT KAUR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

PRESENT: Mr. Karandeep Singh Sidhu, Advocate
for the petitioner(s).

Mr. Randhir Singh Thind, DAG, Punjab.

KIRTI SINGH, J. (Oral)

The jurisdiction of this Court under Section 439 Cr.P.C. has been invoked for grant of regular bail to the petitioner in case FIR No.115 dated 13.09.2023, under Sections 21/29 of NDPS Act (later on added Section 27(B) of NDPS Act vide GD No.22 dated 13.11.2023), registered at Police Station Vairoke, District Fazilka.

2. Learned counsel for the petitioner submits that allegedly there was a recovery of 200 grams of heroin from the house of co-accused Rekha Rani where the petitioner and other co-accused were found present. The petitioner had just gone to visit Rekha Rani as they are known to each other. He further submits that the petitioner has been falsely implicated in this case. She has undergone an actual custody of 10 months and 22 days.

3. Learned State counsel has filed the custody certificate dated 06.08.2024 in Court today, which is taken on record. As per custody certificate, the petitioner has undergone an actual custody of 10 months and 22 days and she is involved in 03 other criminal cases, however, in 01 case she has been convicted and other two are pending for adjudication.

Moreover, on instructions he submits that charges are framed on 18.07.2024.

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He also submits that out of total 17 prosecution witnesses, none has been examined till date. In view of the serious allegations against the petitioner, she is not entitled to the concession of regular bail.

4. Heard the rival submissions made by learned counsel for the parties.

5. The veracity of the allegations leveled against the petitioner shall be established during the course of the trial. Admittedly, the petitioner is in custody since 15.09.2023 and the recovery is of non-commercial quantity. The petitioner has undergone an actual custody of 10 months and 22 days. Out of 17 prosecution witnesses, none has been examined. The trial of the case will take considerable time and no useful purpose will be served by detaining the accused in custody.

6. Without commenting anything on the merits of the case, lest it may prejudice the trial, the present petition is allowed and the petitioner is ordered to be released on regular bail on her furnishing adequate bail/surety bonds to the satisfaction of the concerned learned trial Court/Duty Magistrate. The petitioner shall also abide by the following conditions:-

- (I) The petitioner will not tamper with the evidence during the trial.
- (II) The petitioner will not pressurize/intimidate the prosecution witness(s).
- (III) The petitioner will appear before the trial Court on the date fixed, unless personal presence is exempted.
- (IV) The petitioner shall not commit an offence similar to the offence of which she is accused of, or for commission of which she is suspected.
- (V) The petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer or tamper with the evidence.



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7. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail before this Court.
8. However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial Court would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(KIRTI SINGH)
JUDGE

07.08.2024
Kavita Nain

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