

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-13617-2024

Date of Decision:26.04.2024

BINDER KAUR

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Harnaaz Kaur Hundal, Advocate for
Mr. T.K. Hundal, Advocate
for the petitioner.

Mr. Baljinder Singh, DAG, Punjab
assisted by Inspector Kuldeep Singh.

DEEPAK GUPTA, J.(ORAL)

Status report by way of affidavit of Shri Parminder Singh, PPS,
Deputy Superintendent of Police, Sub Division Garhshankar, District
Hoshiarpur has been filed on behalf of the respondent-State and the same is
taken on record.

On 21.03.2024, following order was passed:

*“Prayer in this petition is for grant of anticipatory bail under
Section 438 Cr.P.C in case FIR No.0176 dated 28.09.2023 registered
under Section 22, 29 of NDPS Act, 1985 registered at Police Station
Garhshankar, District Hoshiarpur.*

*As per the allegations, secret information was received that
10-11 ladies were indulging in the business of selling intoxicating
injections. Raid was conducted and intoxicating injections were recovered
from those ladies. Petitioner was not named in the FIR. She has been
nominated on the basis of disclosure statement made by the co-accused.*

*Learned counsel for the petitioner contends that petitioner
has been falsely implicated. Learned counsel further contends that
petitioner is also involved in one more case bearing FIR No.209 dated*

15.11.2022 registered at Police Station Garhshankar, District Hoshiarpur under Section 15, 18, 21, 22, 29 of NDPS Act (No.61 of 1985) and that was also a case of mass recovery and in that case petitioner had been allowed anticipatory bail vide order dated 21.12.2022 (Annexure P-2).

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent- State.

Adjourned to 26.04.2024.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

Today learned State counsel, on instructions from Inspector Kuldeep Singh submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 21.03.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

26.04.2024

pry

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