



211

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

CRM-M-13863-2023

Date of Decision:- 20.08.2024

PARVINDER KAUR @ PALWINDER KAUR

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Harjinder Singh, Advocate for Ms. Satwant Mehta,
Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)h

1. Petitioner – Parvinder Kaur @ Palwinder Kaur has filed the instant petition under Section 439 Cr.P.C. for grant of regular bail in FIR No.28 dated 16.03.2022 under Section 22 of NDPS Act registered at Police Station Sadar Patti, District Tarn Taran.

2. Brief facts of the case are that SI Kulwant Singh along with police party had gone on patrolling. When the police party was passing through village Kot Budha they saw a lady coming from the front side who on seeing the police party was perplexed and threw polythene bag which she was carrying in her hand and tried to turn back. Said plastic polythene bag was torn and loose white tablets came out. She was apprehended by



PHG Rajbir Kaur. On enquiry she disclosed her name as Parvinder Kaur wife of Ravinderpal Singh. Search was conducted as per rules and from her possession 1030 intoxicated tablets have been recovered along with currency notes of Rs.21,500/-. The intoxicants tablets and the cash amount was taken into police possession. With these allegations present FIR was registered.

3. Learned counsel for the petitioner argued that initially she was granted interim regular bail subject to the outcome of report of Chemical Examiner vide order dated 27.04.2022 which is Annexure P-2. Challan was presented on 12.09.2022. Her arrest warrants were issued and she approached the High Court seeking anticipatory bail in CRM-M-54256-2022 and as per order of High Court (Annexure P-3) she surrendered before the trial Court on 01.12.2022 and her regular bail application was declined vide order dated 15.12.2022. She is behind the bars since long. Trial is going at a slow pace. It is prayed that she may be granted concession of regular bail.

4. Status report is already received. Bail application is opposed by learned counsel representing the State of Punjab. It is pointed out that challan in this case was presented on 12.09.2022 and chargesheet was framed on 15.03.2023. Out of 11, 5 prosecution witnesses have been examined. Report of Forensic Science Laboratory was received which is Annexure R-1/TT according to which, said loose tablets contained Tramadol Hydrochloride and weight of each tablet was 97.30 mg. It is a case of commercial quantity of contraband. Therefore, petitioner is not entitled to be released on bail.

5. I have considered the arguments and have gone through the



record. It is a case of recovery of commercial quantity of contraband. Trial in this case is going on. As referred above, five prosecution witnesses have been examined. Present petitioner was initially granted interim bail and thereafter she surrendered before the trial Court as per the directions of this Court and was taken into custody. As per the bail application, petitioner is 64 years of age. Considering the stringent provision of Section 37 of NDPS Act, regular bail application filed by the petitioner is declined.

6. Considering the custody period and age of petitioner, trial Court is directed to record evidence by giving short adjournments and to dispose of the case expeditiously.

7. My observations recorded here-in-above shall have no bearings on the merits of the case.

8. Pending application (s) if any also stands disposed of.

20.08.2024

snd

(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No