

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234 CRM-M-14684-2024
Date of Decision.:02.04.2024

Banso KaurPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.K. Singla, Advocate
for the petitioner.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.5 dated 07.01.2024 registered under Sections 21 of NDPS Act, 1985 registered at Police Station Bhikhi, District Mansa.

2. As per allegations during patrolling, petitioner was apprehended by the police party. Petitioner was found in possession of 10 gram of Heroin in a plastic sack.

3. Learned counsel for the petitioner contends that quantity of contraband as allegedly recovered from the petitioner falls in the medium category. Learned counsel also contends that petitioner is in custody for the last more than 03 months and that her bail has been rejected only for the reason that she is involved in 06 other cases. Learned counsel has also drawn attention towards the fact that out of 06 cases earlier registered against the petitioner, 04 of the cases pertains to the year 2005 to 2014 and in all of

CRM-M-14684-2024

them petitioner was sentenced for the period already undergone by her. Learned counsel further contends that fifth FIR i.e. FIR No.07 dated 12.01.2015 under Sections 379 & 411 of the IPC registered at Police Station Dharamgarh, trial is pending and similarly trial is pending in case FIR No.23 dated 07.02.2021 under Section 21, 29 of NDPS Act registered at Police Station STF, Phase No.IV, S.A.S. Learned counsel submits that petitioner is on bail in both those cases.

- 4. Notice of motion.
- 5. Mr. G.P.S. Bhullar, AAG, Punjab accepts notice on behalf of respondent- State.
- 6. As per the order dated 12.02.2024 (Annexure P-2) passed by learned Special Court, petitioner is in custody since 07.01.2024 i.e. for the last almost 03 months.
- 7. Having regard to the above facts and circumstances and also the quantity of contraband as recovered from the petitioner, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on her furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

April 02, 2024
Neetika Tuteja

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