

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

298

CRM-M No.19501 of 2024
Date of decision: 08.07.2024

MANJIT KAUR

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Rajdeep Singh Gill, Advocate for the petitioner.

Mr. Satjot Singh, A.A.G., Punjab.

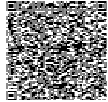
MANISHA BATRA, J. (oral)

1. Through the instant petition, filed under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No. 29, dated 26.01.2024, under Sections 21,22, 25 and 29 of NDPS Act at Police Station City Barnala, District Barnala.

2. Vide order dated 22.04.2024, passed by this Court, the petitioner was released on interim bail and was directed to join investigation. Order dated 22.04.2024, passed by this Court, reads as under:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.29 dated 26.01.2024 registered under Sections 21, 22, 25 & 29 of NDPS Act, 1985 registered at Police Station City Barnala, District Barnala.

As per prosecution allegations, co-accused Mani Singh was apprehended while travelling in a Swift car and from his possession 500 intoxicating vials of Wincerex Cough Syrup of 100 ml each having a particular batch number and expiry date,



besides 700 loose intoxicating tablets of Bawa colour were recovered, which were taken into police possession.

It is further the case of the prosecution that during his interrogation said Mani Singh disclosed that the contraband as recovered from him was supplied to him by his brother Pritpal Singh @ Kali for selling the same to petitioner Manjit Kaur @ Mamna besides Happy @ Pala, Makhan Singh and Raju.

Learned counsel for the petitioner contends that petitioner has been falsely implicated simply on the basis of disclosure statement of co-accused, which is not admissible. Even as per that disclosure statement, petitioner could be the subsequent purchaser. Learned counsel further contends that petitioner is ready to join the investigation.

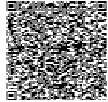
Notice of motion.

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

Learned State counsel opposes the petitioner by submitting that petitioner is involved in three other cases pertaining to NDPS Act. However, it is conceded by learned State counsel that as far as the present case is concerned, the only basis to nominate the petitioner in this case is disclosure statement of co-accused.

Adjourned to 08.07.2024 for filing status report.

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. She 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. She shall further comply with the conditions stipulated in Section 438(2) Cr.P.C”.

3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined the investigation on 16.06.2024 and his custodial interrogation is not required.

4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 22.04.2024, granting interim bail to the petitioner, is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(MANISHA BATRA)
JUDGE

08.07.2024
Jyoti-IV

Whether speaking/reasoned:	Yes/No.
Whether reportable :	Yes/No