

209 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20789-2023

Decided on:-09.01.2024

Seema

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.B.S. Aulakh, Advocate
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 439 of the Code of Criminal Procedure, 1973, prayer has been made for grant of regular bail pending trial, in case bearing FIR No.75, dated 26.05.2022, registered under Section 22(c) of NDPS Act, 1985 (Section 29 of the NDPS Act added later on), at Police Station Kabarwala, District Sri Muktsar Sahib.
2. In the present case, the petitioner has been implicated for the alleged recovery of 5000 intoxicant tablets.
3. On the other hand, prayer made herein has been opposed at the instance of learned State counsel while submitting that huge recovery of contraband has been effected from the petitioner thus, she does not deserve the concession of bail.
4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

5. In the present case, the investigation already stands concluded with the filing of challan, followed by framing of charges. The petitioner has already suffered incarceration for more than 01 year & 7 months by now and the trial is likely to take some time, as none of the prosecution witnesses has been examined out of total 34 witnesses as cited by the prosecution. In addition, no other case of NDPS Act is pending against the petitioner. Thus, considering the aforesaid facts, I do not find any reason to extend the incarceration of the petitioner any further.

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 Trial Court/Duty Magistrate.

7. It is made clear that this order may not be construed as expression of an opinion on the merits of the case.

09.01.2024
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(HARKESH MANUJA)
JUDGE

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