

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-20437-2024

Date of Decision : July 11, 2024

MANJIT KAUR

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Bhupinder K. Bhangu, Advocate
for the petitioner.

Mr. Sahil R.Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

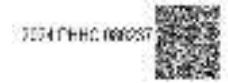
1. Through the instant petition filed under Section 439 Cr.P.C. the petitioner prays for grant of regular bail in case FIR No.25 dated 6.3.2024, Under Sections 21(b),61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Subhanpur, District Kapurthala (Punjab).
2. Learned counsel for the petitioner in the asking for the relief of regular bail submits that the petitioner is a poor lady, aged 40 years and she

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is only bread earner of the family. He further submits that the story put forth by the prosecution, regarding recovery of 11 grams of Heroin is false and fabricated, and the said recovery falls within the ambit of non-commercial quantity. He further submits that the petitioner has suffered incarceration of more than 4 months as she is behind bars since 06.03.2024.

3. Per contra, the learned State counsel has opposed the grant of regular bail to the petitioner, on the ground that she is habitual offender and is involved in one more case and therefore, she does not deserve the concession of regular bail. He further submits that final report has been filed but the charges are yet to be framed and the prosecution has cited a total of 8 witnesses in the final report. He also placed on record the custody certificate, as per which the petitioner has suffered incarceration of 4 months and 2 days as on today in the instant FIR. It further reflects that though the petitioner is involved in one more case but she is on bail in that case.

4. Considering the fact that the recovery which was effected from the petitioner, falls within the ambit of non-commercial quantity and the petitioner has suffered sufficient incarceration and the charges are yet to be framed and the fact that the case is at initial stage, this Court deems it fit and appropriate to extend the benefit of regular bail to the petitioner. Therefore, the present petition is **allowed**.



5. The petitioner is ordered to be released on bail on furnishing of bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/trial Court/Duty Magistrate.

6. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

July 11, 2024
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(KULDEEP TIWARI)
JUDGE

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