

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.23147 of 2024
Date of decision: 9th May, 2024

Surjeet Kaur

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parminder S. Sekhon, Advocate for the petitioner.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.33 dated 09.03.2024 under Sections 18 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bhawanigarh, District Sangrur.

2. Learned counsel for the petitioner contends that she has been falsely implicated in the present case based on a disclosure statement allegedly suffered by co-accused Makhan Singh, from whose possession 1 kg of Opium was recovered. It has been asserted by the learned State counsel that the disclosure statement, on the basis of which he has been arraigned as an accused, has very poor evidentiary value, and this alone does not connect the petitioner to the alleged recovery.

3. It has been further submitted that the petitioner is willing to join and cooperate with the investigation.

4. I have heard learned counsel for the petitioner and perused the relevant material on record.

5. A perusal of the allegations levelled in the FIR and other material on record, prima facie suggests that the petitioner is the supplier of the contraband which was recovered from co-accused Makhan Singh. Hence, further investigation would be required into the involvement of the petitioner and the sources from where she has been procuring narcotics and thereafter, supplying it to various persons. This Court can also not lose sight of the fact that the petitioner is involved in one other case under the NDPS Act i.e. FIR 280 dated 09.09.2023, where she was enlarged on bail vide order dated 10.10.2023. Hence, considering the petitioner’s prior misuse of the concession of bail and the role attributed to her, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner as prima facie she comes across as a habitual offender.

6. Dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

May 9, 2024
rps

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