



CRM-M-23587-2024

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**231 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**CRM-M-23587-2024
Decided on : 30.07.2024

Veerpal Kaur @ Raji

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. P.S.Sekhon, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the second petition filed by the petitioner seeking concession of regular bail in case FIR No.33 dated 07.05.2023 under Sections 22-B of NDPS Act, 1985 registered at Police Station Sadar Malout District Sri Muktsar Sahib.

2. Learned counsel for the petitioner has submitted that undoubtedly, the petitioner is facing trial in a number of other criminal cases including cases under the NDPS Act (hereinafter referred to as 'the Act'), however, it was precisely for the said reason that the petitioner had been framed in the present case and the recovery of 150 tablets of Tramadol planted upon her. It has been further submitted that after the petitioner was arrested on 07.05.2023, the trial had not yet concluded as only 6 prosecution witnesses out of the



15 cited have been examined till date. Hence, further incarceration of the petitioner would serve no useful purpose, more so, when the alleged recovery affected from her stands classified as non-commercial under the Act.

3. Per contra, learned State counsel has opposed the prayer and submissions made by learned counsel for the petitioner. Learned State counsel, on instructions, has submitted that the petitioner was apprehended by the police on suspicion and thereafter aforesaid recovery of Tramadol tablets was affected from the petitioner. It has also been submitted that the petitioner is involved in 9 other cases under the Act and thus, it is evident that she is a habitual offender; she was apprehended in the present case while she was on bail in some of the other cases under the Act, which already stood registered against her. It has further been submitted by the State counsel that in case, she is enlarged on bail, there is every likelihood that she could yet again be involved in similar offences and hence, the instant petition be dismissed.

4. I have heard learned counsel for the parties and perused the material placed on record.

5. No doubt, the recovery affected from the petitioner has been classified as non-commercial under the Act. However, this Court cannot turn a blind eye towards the antecedents of the petitioner, who has had repeatedly brush with law. The trial would not take much time



to conclude as now only 9 prosecution witnesses, out of whom some are formal witnesses, remain to be examined.

6. In the facts and circumstances as enumerated hereinabove coupled with the fact that the petitioner is a habitual offender, this Court does not deem it fit to extend the concession of regular bail to the petitioner. Accordingly, the instant petition stands 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.

30.07.2024
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(MANJARI NEHRU KAUL)
JUDGE

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