



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218

CRM-M-24466-2024

Date of decision : 29.05.2024

Hardeep Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present:- Mr. A.S. Bhatti, Advocate for the petitioner.

Mr. Mohit Kapoor, Sr. DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

1. This petition has been filed under Section 439 Cr.P.C. for grant of regular bail in case F.I.R. No.140 dated 08.08.2023 registered for the offence punishable under Sections 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') at Police Station Garhshankar, District Hoshiarpur.
2. As per the contents of the FIR, the allegation against the petitioner is of being in possession of 65 grams of Alprazolam.
3. Custody certificate has been filed. The same is taken on record.
4. Learned counsel for the petitioner submits that it is a case of separate recovery. The recovery of 72 grams of Alprazolam recovered from the co-accused cannot be clubbed with the recovery made from the present petitioner, to invoke the provisions of Section 37 of the NDPS Act. The petitioner is behind the bars for 04 months and 05 days. Investigation



stands concluded and challan stands presented. Apart therefrom it has been contended that the petitioner has no other criminal antecedents and there is no apprehension that he shall tamper with the evidence.

5. Learned State counsel does not dispute the aforesaid facts.

6. I have heard learned counsel for the parties and have gone through the records of the case.

7. Without commenting on the merits of the case and considering the incarceration suffered by the petitioner, the present petition is allowed. The petitioner is ordered to be released on bail on her furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, in addition to conditions that may be imposed by the Trial Court/Duty Magistrate concerned, the petitioner shall remain bound by the following conditions :-

- (i) The petitioner shall not mis-use the liberty granted.
- (ii) The petitioner shall not tamper with any evidence oral or documentary during the trial.
- (iii) The petitioner shall not absent himself on any date before the trial.
- (iv) The petitioner shall not commit any offence while on bail.
- (v) The petitioner shall deposit her passport, if any with the trial Court.
- (vi) The petitioner shall give her cellphone number to the police authorities and shall not change her cellphone number without permission of the trial Court.
- (vii) The petitioner shall not in any manner try to delay the trial.

8. In case of breach of any of the aforesaid conditions and those



which may be imposed by the Trial Court, the prosecution shall be at liberty to move cancellation of bail of the petitioner.

9. Ordered accordingly.

29.05.2024
D.Bansal

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No