



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-26238-2024
DECIDED ON: 23.05.2024**

RAJI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Ms. Bhupinder Kaur Bhangu, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.0056, dated 21.03.2024 (Annexure P-1), under Sections 22, 29 of NDPS Act, 1985, registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner contends that the petitioner was not initially named in the FIR but was subsequently roped in the instant FIR only on the basis of disclosure statement of co-accused Surjit Kaur @ Kalo, from whom the alleged recovery of 555 loose intoxicant capsules without any marka was effected. She further contends that at the time of alleged recovery from the co-accused Surjit Kaur @ Kalo, the police party have not joined any independent witness and came in a private vehicle which has not been mentioned in the record of the investigating agency qua the identity of that vehicle including the registration number and the ownership.

Notice of motion.

On the asking of the Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of the respondent-State and on instructions from ASI Gurmej Singh could not controvert the aforesaid factual aspects.

Be that as it may, considering the fact that the petitioner was nominated as an accused in the instant FIR only on the basis of disclosure statement of co-accused Surjit Kaur @ Kalo and the fact that nothing has been recovered from the possession of the petitioner.

In the light of above, the petitioner is directed to be released on anticipatory bail subject to her joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands disposed off.

(SANDEEP MOUDGIL)
JUDGE

23.05.2024
Poonam Negi

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