



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-28072-2024
Date of decision: September 24th, 2024

Kulwinder Kaur
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Manpreet Kaur, Advocate
for Mr. Davinder Singh Saini, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail in
FIR No.8 dated 29.03.2024 under Section 21 of the Narcotic Drugs and
Psychotropic Substances Act, 1985 (Section 29 of the Act added later
on) registered at Police Station City Balachaur, District S.B.S. Nagar.

2. Vide order dated 30.05.2024, the petitioner had been
granted interim anticipatory bail with direction to join investigation and
the relevant part of the said order reads as under:-

*“Learned counsel inter alia contends that the petitioner
was not named in the FIR in question; she came to be
nominated as an accused in the disclosure statement allegedly
suffered by co-accused, from whom recovery of 10 grams of
Heroin was alleged affected. She further submits that the
petitioner is not involved in any other criminal case much less
under the NDPS Act, which lends credence to her false
implication in the present case and all this needs to be
appreciated in the light of the fact that the disclosure
statement on the basis of which she has been arraigned as an
accused in the present case, has very poor evidentiary value.”*



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3. Learned counsel for the petitioner submits that in compliance of order dated 30.05.2024, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for her custodial interrogation.
5. In view of the above, the petition is allowed and interim order dated 30.05.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482 BNSS.

September 24th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No