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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-29865-2024

Date of Decision:- 15.10.2024

SHASHI

....Petitioner

Vs.

STATE OF HARYANA

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Ms. Garima Sharma, Advocate for the petitioner.

Mr. Kanwar Sanjiv Kumar, AAG, Haryana.

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AMARJOT BHATTI, J.

1. Petitioner Shashi has filed instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.67 dated 28.02.2024 under Sections 21 of NDPS Act registered at Police Station Ambala City, District Ambala.

2. As per the facts of the case, on 28.02.2024 complainant PSI Ravi Kumar along with the police party received secret information that Rama wife of Akshay @ Kaku was dealing with intoxicants i.e. heroin smack and from her possession contraband can be recovered. On the basis of this information, Rama was apprehended on the identification of said informant and on the search conducted as per Rules, envelope containing 5 grams 240 mg of smack was recovered. During the course of investigation, present petitioner was named.

3. Learned counsel for petitioner pointed out that allegations levelled against present petitioner are false and without any basis. She is named by the co-accused. No recovery is effected from her. She was

granted relief of interim bail vide order dated 14.06.2024 and accordingly, she has already joined the investigation. Therefore, interim bail already granted in her favour may be confirmed.

4. Bail application is opposed by learned counsel representing State. Status report is filed which is taken on record. Facts of the case are not disputed. It is pointed out that present petitioner is involved in two other cases. She is habitual offender. Therefore, she is not entitled to be released on anticipatory bail.

5. I have considered the arguments and have gone through the record. Present petitioner is named by co-accused Rama from whose possession contraband falling in non-commercial quantity was recovered. No recovery is effected from petitioner. She has already joined the investigation. Other FIRs registered against her will be decided on its own merits. Therefore, without commenting on the merits, interim bail already granted in favour of present petitioner vide order dated 14.06.2024 stands confirmed subject to the conditions detailed under Section 438 (2) Cr.P.C.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)  
JUDGE

15.10.2024  
snd

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