



CRM-M-30222-2024 and CRM-M-31625-2024 -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Sr. No.223 (2 cases)

Case No. : CRM-M-30222-2024

Date of Decision : August 01, 2024

Jaspreet Kaur @ Kirna Petitioner

vs.

State of Punjab and another Respondents

Case No. : CRM-M-31625-2024

Date of Decision : August 01, 2024

Satgur Singh Petitioner

vs.

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH.

* * *

Present : Mr. Munish Garg, Advocate
for the petitioner(s).

Ms. Avneet, AAG, Punjab.

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GURBIR SINGH, J. :

1. Vide this common judgment, two afore-stated petitions i.e. **CRM-M-30222-2024** and **CRM-M-31625-2024** shall be decided as facts and circumstances involved in both these petitions are the same and both petitions relate to the same FIR. However, for the sake of convenience, facts are being taken from **CRM-M-30222-2024**.

2. Prayer in the present petition(s) is for grant of regular bail to the petitioner(s) in FIR No.30 dated 18.04.2024, under Sections 22, 29 and



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61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred to as – NDPS Act), registered at Police Station Rureke Kalan, District Barnala.

3. As per prosecution version, on 18.04.2024, on receipt of secret information, FIR was got registered against petitioners Jaspreet Kaur @ Kirna and her husband Satgur Singh. They were apprehended and 110 loose intoxicant tablets were recovered from the black colour polythene envelope, kept on the seat of motorcycle, on which they were travelling. As per the report of Chemical Examiner, the content of each tablet was found to be Tramadol Hydrochloride.

4. Learned counsel for petitioner(s) has contended that quantity of contraband recovered in the present case is not a commercial quantity. The petitioners are not having any criminal antecedents as they were never involved in any other case and no FIR has been registered against them except the present one. The petitioner(s) were arrested on 18.04.2024 and they are behind bars since then. The case is at its initial stage and would take a long time to conclude. Therefore, the petitioner(s) be released on bail.

5. On the other hand, learned State counsel has opposed the prayer made by learned counsel for the petitioner(s) on the ground that the petitioner(s) have been found to be involved in drug trafficking, which is a serious offence. Therefore, they are not entitled to bail.

6. I have heard the arguments advanced by learned counsel for the petitioner(s) and learned State counsel.

7. On asking, learned State counsel has fairly submitted that the



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petitioner(s) are not involved in any other case. They are in custody since 18.04.2024. The recovery of tablets, effected from the petitioner(s), is not commercial quantity.

8. Keeping in view that the petitioner(s) are first offenders; they are husband and wife; the recovery of contraband involved in the present case is of non-commercial quantity; the completion of trial would take a long time and no useful purpose would be served by further detention of the petitioner(s), this Court is of the view that the petitioner(s) are entitled for concession of regular bail.

9. Accordingly, without commenting upon the merits of the case, the present petition(s) are allowed and the petitioner(s) are directed to be released on regular bail, on their furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner(s) shall also abide by the following conditions :-

1. The petitioners shall give their mobile numbers to the Trial Court and get the same registered, on which SMS shall be received from the CIS and shall not change their mobile numbers during pendency of the case.

3. The petitioners shall not change their residence without prior intimation to the concerned Police Station and the Trial Court.

4. The petitioners shall appear before the Trial Court on each and every date of hearing.

10. However, nothing observed herein above shall be construed to be an expression of opinion on the merits of the case. The observations

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recorded above are only for the purpose of deciding the present bail petition(s).

11. Pending applications, if any, shall stand disposed of along with the present petition.
12. A photocopy of this judgment be placed on the file of other connected matter.

August 01, 2024
monika

(GURBIR SINGH)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No.</i>
<i>Whether reportable ?</i>	<i>Yes/No.</i>