



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.35220 of 2024
Date of decision: 06.11.2024

SHEELO

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Saurabh Verma, Advocate for
Mr. G.S. Verma, Advocate for the petitioner.

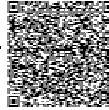
Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition, filed for grant of anticipatory bail to the petitioner in case FIR No 78 dated 21.06.2024, registered under Section 20 of the NDPS Act, 1985 at Police Station Moti Nagar, District Ludhiana.
2. Vide order dated 06.09.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 06.09.2024, passed by this Court, reads as under:

“Prayer in this petition, filed under Section 438 of Cr.P.C., is for grant of anticipatory bail to the petitioner in case arising out of FIR No. 78 dated 21.06.2024, registered under Section 20 of the NDPS Act, 1985 at Police Station Moti Nagar, District Ludhiana.

Briefly stated facts of the case are that on 21.06.2024, on receipt of a secret information was received that the petitioner is involved in selling Ganja in her house and if a raid is conducted, a huge quantity of Ganja can be recovered. Believing the information to be reliable, a raid was conducted at the house of



the petitioner. However, the petitioner fled away from her house. The search of the house was conducted and recovery of 01 kg. of Ganja was effected from there. Apprehending her arrest, the petitioner had filed an application for grant of anticipatory bail before the Court of learned Additional Sessions Judge, Ludhiana but the same has been dismissed, vide order dated 17.07.2024.

It is argued by learned counsel for the petitioner that the petitioner has been falsely implicated in this case. In fact, on 21.06.2024, the petitioner was out of station with her family and had gone to Haridwar to perform the last rite ceremonies of her son-in-law. The recovery of the contraband allegedly effected from her house was in fact a planted one. More so, the alleged recovery of the contraband is of small quantity. The petitioner is ready to join investigation. Her custodial interrogation is not required. No recovery is to be effected from her. No useful purpose would be served by detaining her into custody. However, learned State counsel has opposed the prayer of the petitioner by arguing that on the basis of a secret information, a raid was conducted at the house of the petitioner on 21.06.2024 but she succeeded in fleeing away from there.

However, recovery of 01 kg. of Ganja was effected from her house. She is involved in one more case under the NDPS Act. Her custodial interrogation is required.

List again on 06.11.2024.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer to join investigation within one week or as and when subsequently required thereafter. In the event of her arrest, the Investigating/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 482(2) of BNSS.”



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3. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 12.09.2024 and he is not required for custodial interrogation.
4. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 06.09.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

06.11.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

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