

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

CRM-M-44891-2023 (O&M)

Date of decision : 31.01.2024

Manjeet Kaur @ Rani

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Sandhu, Advocate,
for the petitioner.

Mr. Jashan Preet Singh, DAG., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No. 121 dated 24.07.2023, under Section 22(B) of Narcotic Drugs and Substances Act, 1985, registered at Police Station City Malout, District Sri Muktsar Sahib.

(2) Allegations against the petitioner are that she was found in conscious possession of 400 tablets of Colovidol-100 SR which was carrying without any permit or license.

3. This Court granted interim bail to the petitioner on 26.09.2023, in the following manner:-

“ Police officer has apprised the Court that report u/s 173 Cr. P.C. has already been submitted and recovery in the present case is alleged to be non-commercial in nature.

Since no one is appearing on behalf of the petitioner, therefore, purely in the interest of justice, posted for 22.11.2023.

In the meanwhile, petitioner be released on interim bail in the present case till the next date of hearing on her furnishing adequate bail and surety bonds subject to the satisfaction of learned trial Court/CJM/Duty Magistrate concerned.”

4. Learned counsel for the petitioner contends that alleged recovery is non-commercial in nature. Petitioner is regularly appearing before the Court below and there is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings in any manner.

5. Learned State Counsel, on instructions, has not opposed the above factual position and rather submits that petitioner is fully cooperating before the Court below.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court on 26.09.2023. She is regularly appearing before the Court below; there is no allegation that petitioner is likely to misuse the concession of bail or hamper the proceedings in any manner, in case her interim bail is made absolute; thus, sending her to custody at this stage would not serve any purpose.

8. Consequently, present petition is disposed off. Interim bail granted to the petitioner, vide order dated 26.09.2023, is made absolute. She shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

9. Petitioner shall appear on each & every date and fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

10. The above observations may not be construed as an expression of opinion on the merits of the case.

11. It is clarified that in case there is any misuse of concession by the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Pending application(s), if any, shall also stand disposed off.

31.01.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No