

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

207

2024:PHHC:006217

CRM-M-53251-2021 (O&M)

Date of decision: January 18th, 2024

Mandeep Kaur @ Preeti

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Arun Luthra, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This is a second petition filed by the petitioner seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.10 dated 11.01.2021 under Sections 22/25/29 of the NDPS Act, 1985 registered at Police Station Barnala.

2. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in hand and after her arrest on 15.02.2021, the trial had still not concluded. It has been further submitted that the petitioner came to be nominated as an accused on the basis of a disclosure statement suffered by co-accused Gurdarshan alias Sonu, who stated that the recovered contraband had been supplied to him by the petitioner. It has been urged that the disclosure statement on the basis of which the petitioner is being prosecuted does not have much evidentiary value and hence, on this ground alone, she deserves to be granted the concession of bail.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions

from ASI Jagpal Singh, has informed the Court that the trial is nearing conclusion and in view of the huge recovery effected from the co-accused, who were specifically named in the secret information, the petitioner comes across as being a part of the syndicate and hence, she does not deserve the concession of bail.

4. I have heard learned counsel for the parties and perused the relevant material on record.

5. In the facts and circumstances as enumerated hereinabove, wherein a huge recovery of contraband was effected, which has been classified as commercial under the Act, coupled with the fact that as per instructions received, only four prosecution witnesses remain to be examined, this Court does not deem it fit to extend the concession of bail to the petitioner.

6. The instant petition stands dismissed.

7. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

January 18th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No