



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

CRM-M-45513-2024
Date of Decision: 18.09.2024

PARAMJIT KAUR @ RIMMI
....Petitioner

VERSUS

STATE OF PUNJAB
....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. P.S. Sekhon, Advocate for the petitioner.

Mr. Inderjeet Singh, DAG, Punjab.

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.112 dated 16.06.2024 registered for the offences punishable under Section 21 of NDPS Act at Police Station Sadar Nabha, District Patiala.

2. The allegations in nutshell are that police recovered 10 grams of heroin from the possession of the petitioner on 16.06.2024. The petitioner was arrested at the spot and is in custody since then.

3. Counsel for the petitioner, *inter alia*, submits that the petitioner is falsely implicated in the present case and is in custody for the last about 3 months and on completion of investigation, challan has been presented and charges are also framed but trial has not commenced. Counsel for the petitioner further submits that it will take time for the trial to conclude and the petitioner is already given benefit of bail in the other criminal cases faced by the petitioner under NDPS Act. So, prayer is made that petitioner



be released on regular bail during pending trial.

4. Present petition is resisted by the State Counsel, who on instructions from SI Gurvinder Singh submits that no doubt 10 grams of heroin was recovered from the petitioner in the present case but she is having criminal history. However, the State counsel has not disputed the fact that in the other criminal cases faced by the petitioner she is already enlarged on bail. The State counsel has also not refuted the fact that till date no prosecution witness is examined out of total 11 witnesses.

5. I have considered the submissions made by the counsel for the parties.

6. The recovery of 10 grams of heroin comes under non-commercial quantity and is not covered under stringent provisions of Section 37 of NDPS Act. Further on completion of investigation, challan stands presented and petitioner who incarcerated since 16.06.2024 is presently lodged in judicial custody. It will take time for the trial to terminate. In the given circumstances, no purpose will be served by prolonging the judicial custody of the petitioner, who is a lady aged about 41 years.

7. In light of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to her furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

18.09.2024
Priyanka Thakur

Priyanka Thakur
2024.09.19 17:58
I attest to the accuracy and
integrity of this document

Whether speaking/reasoned Yes/No
Whether reportable Yes/No