

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:125889



CRM No. 38519-2024 in/and
CRM-M No. 47504-2024 (O&M)
Date of Decision: 23.09.2024

Simrenjeet Kaur alias Simren alias Simerjeet

.....Petitioner

versus

State of Haryana

-

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. Kamal Jindal, Advocate, for the petitioner.

Mr. Deepak Balyan, Addl. Advocate General, Haryana.

SHEEL NAGU, CHIEF JUSTICE (Oral)

CRM-38519-2024

For the reasons mentioned in the application, the same is allowed and the Advocate is granted leave to file the petition without Number of Roll of Advocate.

CRM-M-47504-2024

The petitioner apprehends her arrest in respect of offence punishable under Section 21(c) of the Narcotic Drugs and Psychotropic Substance Act, 1985 in FIR No. 297 dated 01.08.2024 registered at Police Station City Mandi Dabwali, District Sirsa, where 260 gram of Heroin was recovered from co-accused Khushdeep Singh. The petitioner's involvement is based on the statement made by co-accused Khushdeep Singh before the police under Section 27 of the Evidence Act (Section 23 of the Bharatiya Sakshya Adhiniyam, 2023).

2. Learned counsel for the petitioner submits that apart from the statement of the co-accused-Khushdeep Singh under Section 27 of the Evidence Act (Section 23 of the Bharatiya Sakshya Adhiniyam, 2023), there is no other evidence available against the petitioner.
3. Learned State counsel informs the Court that the petitioner has criminal antecedents comprising of two more FIRs i.e. FIR No. 176 dated 09.11.2019 and FIR No. 240 dated 19.06.2024 under the Narcotic Durgs and Psychotropic Substance Act, 1985, in which 350 gram and 4.14 gram of Heroin respectively was recovered from the petitioner and in none of these FIRs, she has been acquitted.
4. Considering the fact that the petitioner has criminal antecedents and the recovery though effected from the co-accused is of commercial in nature and the fact of possibility of further evidence being collected by the police against the petitioner cannot be ruled out, this Court for the time being declines to grant anticipatory bail to the petitioner. Accordingly, the application is dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

23.09.2024

ravinder

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