



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

203

CRM-M-50697-2024

Date of decision: 21.10.2024

Geeta @ Geera @ Asha Devi

....Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. V. B. Godara, Advocate,
for the petitioner.

Mr. Tapan Kumar, DAG, Haryana

AMAN CHAUDHARY. J.

1. The present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No.13 dated 17.01.2023, registered under Section 22 (B)(ii) of the NDPS Act (hereinafter referred to as 'the Act'), at Police Station Bass, District Hansi.

2. Learned counsel contends that the petitioner is in custody for last 1 year and more than 9 months and has been falsely implicated. The mandatory provision of Section 52A of the Act has not been complied with during the course of investigation. Charges were framed on 18.07.2023, however no prosecution witness has yet been examined. The petitioner is not involved in any other case.

3. Learned State counsel opposes the bail on the ground that the commercial quantity of contraband was recovered from the petitioner as well as her co-accused. He is however unable to controvert the submissions with



regard to the custody, stage of the case and the petitioner being not involved in any other case.

5. Heard.

6. Considering the facts and circumstances of the case, in particular that the petitioner is in custody for the last 1 year and more than 9 months; not involved in any other case; charges stand framed on 18.07.2023, however no prosecution witness has been examined so far, the trial is likely to take a considerable time, thus her further incarceration would not serve any useful purpose, the present petition for grant of regular bail deserves to be allowed.

7. As a result, the present petition is allowed. The petitioner is ordered to be released on regular bail, subject to her furnishing bail/surety bonds to the satisfaction of trial Court/Duty Magistrate concerned and subject to her not being required in any other case. The petitioner shall abide by the following conditions:-

- (i) The petitioner will not tamper with the evidence during the trial.
- (ii) The petitioner will not pressurize/ intimidate the prosecution witnesses.
- (iii) The petitioner will appear before the trial Court on each and every date fixed, unless is exempted by a specific order of Court.
- (iv) The petitioner shall not commit an offence similar to the offence of which, she is an accused, or for commission of which she is suspected of.
- (v) The petitioner shall not directly or indirectly coerce, induce, threaten or promise to any person acquainted with the facts of the case so as to dissuade him/ her from disclosing such facts to the Court or to any police officer or tamper with the evidence in any manner.
- (vi) The petitioner shall not in any manner misuse her liberty.
- (vii) The petitioner shall furnish her address and mobile

number to the Trial Court forthwith and shall not change the same till the conclusion of the trial and in case for any reason, the petitioner seeks to change any of the aforesaid, the same shall be done only with prior intimation to the learned Trial Court, stating the reason for the same.

- (viii) The petitioner shall not leave the country without prior permission of the trial Court.
- (ix) The trial Court/Duty Magistrate may impose any other condition, as deemed appropriate while releasing the petitioner.

8. It is made abundantly clear that in case there is any breach of the aforesaid conditions, the State shall be at liberty to seek cancellation of bail as granted to the petitioner by this order.

9. In view of the above, it is clarified that the observations made herein are limited for the purpose of present proceedings and would not be construed as an opinion on the merits of the case and the trial would proceed independently of the aforesaid observations.

(AMAN CHAUDHARY)
JUDGE

October 21, 2024
dinesh

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