

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

Neutral Citation No. **2024:PHHC:020010**
CRM-M-54857-2023

Date of Decision: February 13, 2024

Rani Devi

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Mandeep Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Fresh power of attorney has been filed on behalf of the petitioner.

By way of present petition filed under Section 439 Cr.P.C., petitioner prays for her release on regular bail in a case FIR No.0269 dated 06.09.2023, under Section 20 (Act No.61 of 1985), NDPS Act, registered at Police Station Dera Bassi, S.A.S. Nagar Mohali.

2. As per allegations, on the basis of secret information, 12 Kg. ganja kept in a plastic bag was recovered from petitioner – Rani Devi, whereas 16 Kg. of ganja was recovered from co-accused Chandan Gupta and both of them in their disclosure statements nominated one Manu. It is alleged that all three of them used to supply the said ganja in Punjab and Himachal Pradesh.

3. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that recovered quantity of contraband from the petitioner falls in the non-commercial category; that petitioner is not involved in any other case; that she is having minor son of 06 years, who is to be looked after and that she is in custody for the last 05 months, so she be allowed bail.

4. Notice of motion.
5. Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of respondent-State.
6. Learned State counsel could not refute the aforesaid contention to the effect that the recovered quantity of contraband from the petitioner fall in non-commercial category. The custody certificate placed on record would reveal that petitioner is in custody for the last 05 months and 04 days and she is not involved in any other case.
7. Having regard to the aforesaid facts and circumstances and the fact that petitioner is a woman and the trial may take time to conclude, but without commenting anything on the merits of case, she is admitted to bail. She is ordered to be released on regular bail on her furnishing requisite bail bonds and surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

Allowed.

February 13, 2024

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No