

S. No.226

2024:PHHC:030343

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55700 of 2023

Date of Decision:04.03.2024

Manjit Kaur @ Gore

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ashok Giri, Advocate for the petitioner.

Mr. Amandeep Singh, DAG, Punjab.

DEEPAK GUPTA, J. (Oral)

Short reply by way of affidavit of Shri Simranjit Singh, PPS, Deputy Superintendent of Police, Sub Division, Phillaur, District Jalandhar (Rural) has been filed on behalf of the respondent- State, along with the custody certificate.

2. By way of present petition filed under Section 439 Cr.P.C., petitioner prays for grant of regular bail in case FIR No.214 dated 11.08.2023 registered under Sections 21(b) and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') at Police Station Phillaur, District Jalandhar Rural.

3. As per allgations, 50 grams of heroin and ₹15,000/- as drug money were recovered from possession of the petitioner on 11.08.2023.

4. Learned counsel contends that the petitioner has been falsely implicated; that recovered quantity of contraband falls in the non-commercial category; that she is in custody for the last more than six months and that the trial may take long time to conclude, so, she be allowed bail.

5. Though learned State Counsel concedes the fact that recovered quantity of contraband from the petitioner falls in the non-commercial category

but bail is opposed on the ground that the petitioner is involved in four other cases, all pertaining to the NDPS Act.

6. Learned State Counsel, on instructions from ASI Surjit Singh, informs that out of ten witnesses cited by the prosecution, only one witness has been examined so far and the next date of hearing before the trial Court is 28.03.2024, thus, the trial is likely to take long time.

7. Having regard to to the fact that the petitioner is a woman; that she is in custody for the last 06 months and 22 days as per the custody certificate; that recovered quantity of contraband falls in the non-commercial category and that the trial may take long time to conclude, but without commenting on the merits of the case, the present petition is allowed. Petitioner is admitted to bail on her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/ Duty Magistrate concerned, on usual terms and conditions.

March 04, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No