

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224 (3) CRM-M-56635-2023
Date of Decision.:08.04.2024

Deesha @ Deesho @ DishoPetitioner
Vs.
State of PunjabRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

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

Mr. G.P.S. Bhullar, AAG, Punjab.

DEEPAK GUPTA, J. (ORAL)

The petitioner is seeking regular bail by way of petition filed under Section 439 Cr.P.C in case FIR No.96 dated 20.06.2023 registered under Sections 22/29/61/85 of NDPS Act registered at Police Station Garhshankar, District Hoshiarpur.

2. As per the prosecution allegations, secret information was received against petitioner- Deesh @ Deesho @ Disho and co-accused Makhan @ Kasam. They were apprehended. From the possession of the petitioner- Deesh @ Deesho @ Disho 13 intoxicating injections containing the salt of Buprenorphine HCL, of 02 ML each were recovered.
3. Learned counsel for the petitioner contends that petitioner has been falsely implicated; that she is in custody for the last 10 months; that petitioner is not involved in any other criminal case and so, she be allowed bail.

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4. Learned State counsel opposed the petition on the ground the recovered quantity of contraband falls in the commercial category. However, it is conceded by learned State counsel that petitioner is in custody since 20.06.2023 i.e. for the last approximately 10 months. As per the custody certificate earlier placed on record, petitioner has no other criminal case pending against her. Learned State counsel also informs that though the challan has already been filed but even the charges have not been framed and that 10 witnesses has been cited by the prosecution. Thus, it is apparent that trial is likely to take long time to conclude.

5. Having regard to the above facts and circumstances, but without commenting anything further on the merits of the case, this petition is allowed and petitioner is admitted to bail on her furnishing bail bonds/surety bonds to the satisfaction of the Learned Trial Court/Duty Magistrate concerned, on usual terms and conditions.

(DEEPAK GUPTA)
JUDGE

April 08, 2024
Neetika Tuteja

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