



CRM-M-60971-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60971-2024
Reserved on: 12.12.2024
Pronounced on: 19.12.2024

Baljeet Kumari @ Baljeet and another ...Petitioners

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amit Dhawan, Advocate, for the petitioners.
Mr. Jasjit Singh, DAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
259	05.10.2023	Phillaur, District Jalandhar Rural	21-B of the NDPS Act (Sections 29, 61, 85 of the NDPS Act added later on)

1. Apprehending arrest in the FIR captioned above had come up before this Court under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023, [BNSS], seeking anticipatory bail.
2. In paragraph 15 of the bail petition, the accused declares that he has no criminal antecedents.
3. Counsel for the petitioners submits that due to default in appearance on one date i.e. on 09.10.2024, bail of petitioners stands cancelled. The petitioner's counsel prays for bail by imposing any stringent conditions and contends that further pre-trial incarceration would cause an irreversible injustice to the petitioner and their family.
4. The State's counsel opposes bail on the ground of maintainability.
5. Without adjudicating the maintainability of the anticipatory bail, this Court is of the opinion that petitioners deserve some leniency. The petitioner was earlier on bail; however, he failed to appear, which led to the cancellation of the bail vide order dated 09.10.2024, passed by Additional District & Sessions Judge-IV.
6. The petitioner has deposited Rs 10,000 in the PGI Poor Patients Welfare fund.
7. Given the penal provisions invoked, coupled with the prima facie analysis of the nature of allegations, and the other factors peculiar to this case, there would be no justifiability further pre-trial incarceration at this stage.
8. Without commenting on the case's merits, in the facts and circumstances peculiar



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to this case, and for the reasons mentioned above, the petitioner makes a case for bail.

9. Given above, provided the petitioners are not required in any other case, the petitioners shall be released on bail in the FIR captioned above subject to furnishing bonds to the satisfaction of the concerned Court and due to unavailability before any nearest Ilaqa Magistrate/duty Magistrate. Before accepting the surety, the concerned Court must be satisfied that if the accused fails to appear, such surety can produce the accused.

10. While furnishing a personal bond, the petitioners shall mention the following personal identification details:

1.	AADHAR number	
2.	Passport number (If available) and when the attesting officer/court considers it appropriate or considers the accused a flight risk.	
3.	Mobile number (If available)	
4.	E-Mail id (If available)	

11. This order is subject to the petitioners' complying with the following terms.

12. The petitioner shall attend the Trial on every date and shall not seek any adjournment.

13. Any observation made hereinabove is neither an expression of opinion on the case's merits nor shall the trial Court advert to these comments.

14. A certified copy of this order would not be needed for furnishing bonds, and any Advocate for the Petitioners can download this order along with case status from the official web page of this Court and attest it to be a true copy. If the attesting officer wants to verify its authenticity, such an officer can also verify its authenticity and may download and use the downloaded copy for attesting bonds.

15. **Petition allowed** in terms mentioned above. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

19.12.2024
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Whether speaking/reasoned: Yes
Whether reportable: No.