

2025:PHHC:029249



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

CRM-M-58438-2024 (O&M)

Date of decision: 01.03.2025

Veerpal Kaur alias Raji

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Parminder Singh Sekhon, Advocate, for the petitioner.

Mr. Amit Rana, Senior DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

CRM-47523-2024

Application is allowed, as prayed for.

Annexure A-1 is taken on record subject to all just exceptions.

CRM-M-58438-2024

This is third petition that has been filed under Section 439 of Cr.P.C., for grant of regular bail to the petitioner in case FIR No.33, dated 07.05.2023, under Section 22-B of NDPS Act, 1985, registered at Police Station Sadar Malout, District Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the petitioner is a victim of false implication; the petitioner was nabbed on suspicion and thereafter, a recovery of 150 tablets of tramadol allegedly effected from her, totalling 60 grams, which is less than the commercial quantity as classified

under the NDPS Act. Learned counsel has submitted that the petitioner has now been languishing in custody since 07.05.2023, however, there is no likelihood of the trial concluding in the foreseeable future, as the prosecution evidence is still underway. A prayer has, therefore, been made for enlarging the petitioner on bail.

In compliance of order dated 27.11.2024, reply by way of an affidavit dated 04.02.2025 of Iqbal Singh, PPS, Deputy Superintendent of Police, Sub-Division Malout, District Sri Muktsar Sahib, on behalf of respondent-State, has been filed, which is taken on record subject to all just exceptions.

Learned State counsel while opposing the prayer and submissions made by the counsel opposite, has not disputed the custody period of the petitioner nor has he disputed the weight of the alleged recovery from the petitioner. However, learned State counsel has asserted that the petitioner is a habitual offender. She is involved in as many as 09 cases under the NDPS Act, which leaves no manner of doubt that she is a habitual offender and has repeatedly been misusing her liberty as and when she was enlarged on bail in the other cases registered under the NDPS Act. Learned State counsel submits that in case the petitioner is enlarged on bail, there is a genuine apprehension that she could yet again be involved in a case under the NDPS Act and hence, a prayer has been made for dismissal of the instant petition.

On a pointed query put to the learned State counsel as to the stage of trial, he, on instructions, has submitted that out of 15 prosecution

witnesses cited, 01 has been examined, 05 given up, which leaves 09 prosecution witnesses to be examined; next date fixed before the trial Court is 21.03.2025.

I have heard learned counsel for the parties and perused the material placed on record.

No doubt, the petitioner has been in custody since 07.05.2023 and the recovery allegedly effected from her is non-commercial, however, this Court would be reluctant to extend the concession of bail to the petitioner in the wake of her previous criminal antecedents and in particular, on account of pendency of multiple cases under the NDPS Act against her.

In the given facts and circumstances, no ground is made out to accept the prayer of the petitioner. Present petition stands dismissed accordingly.

However, the learned trial Court is directed to make earnest efforts to expedite the trial and conclude it at the earliest, preferably on or before 31.07.2025.

It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 01, 2025
sanjeev

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