

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Criminal Misc.No.M-35258 of 2013
Date of Decision: 29th November, 2013

Gurpreet Kaur

.. Petitioner

Versus

State of Punjab

.. Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Vishal Deep Goyal, Advocate,
for the petitioner.

Mr.K.S.Pannu, DAG, Punjab.

* * *

Naresh Kumar Sanghi, J.

Prayer in this petition is for grant of anticipatory bail to petitioner Gurpreet Kaur who has been booked for having committed the offences punishable under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Sections 120-B, 201, 420, 467, 468 and 471, IPC, and Section 25 of the Arms Act, in a case arising out of FIR No.45, dated 03.03.2013, registered at Police Station, Fathegarh Sahib.

Learned counsel contends that as per the prosecution case, at the time of recovery of the alleged contraband, the petitioner was not present in her house fromwhere the recovery was effected; that the conscious possession of the alleged contraband would be a moot point during the course of trial; that Reet Sidhu, the similar situate co-accused of the petitioner, has already been granted anticipatory bail and one more co-accused, Inderjit Singh, has been granted bail by this Court vide order of even date; and that in

compliance of the interim directions issued by this Court on different dates, the petitioner did join the investigation and co-operated with the Investigating Agency.

Learned counsel for the State, on instructions from ASI Harjit Singh, Police Station, Kotwali Nabha, District Patiala (where the investigation of the present case is pending), submits that the allegations against the petitioner are that husband of the petitioner purchased a property in the name of the petitioner from the amount which he received from illegal trade of narcotic drugs. However, he fairly concedes that the petitioner has joined the investigation and her custodial interrogation is not required in the present case.

I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The allegations which have been levelled against the petitioner are yet to be substantiated during investigation and trial. She has joined the investigation and her custodial interrogation is not required in the present case. Accordingly, the present petition is allowed and the interim directions issued on different dates by this Court are made absolute.

The petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2), Cr.P.C.

November 29, 2013
Seema

(Naresh Kumar Sanghi)
Judge