



CRM-M-61867-2023

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

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CRM-M-61867-2023 (O&amp;M)

Date of Decision: 18.03.2025

Rani Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU****Present:** Mr. A.S.Barnala, Advocate for the petitioner.

Mr. S.S.Chahal, AAG, Punjab.

**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 (for short, 'Cr.P.C.') for grant of pre-arrest bail to the petitioner in FIR No.335 dated 20.07.2023 (P-1), under Sections 22 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'NDPS Act'), registered at Police Station City Barnala, District Barnala.

2. Allegations are that total 710 intoxicant tablets and 245 loose tablets of white colour (non-commercial quantity) were recovered from the petitioner as well as her co-accused, namely, Usha Rani and Soni Singh.

3. Contends that petitioner was granted interim bail by this Court, vide order dated 20.02.2024 and in pursuance thereof, she has already joined investigation; hence, her custodial interrogation is not required.

4. The above factual position is not disputed by learned State Counsel, on instructions from quarter concerned and submits that her custodial interrogation is not required.

5. Heard learned counsel for the parties and perused the paper-book.



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6. It transpires that petitioner was granted interim bail by this Court, vide order dated 20.02.2024 and the order reads as under:-

*“Contends that recovery alleged against the petitioner is non-commercial in nature and after investigation, report under Section 173 of Code of Criminal Procedure, 1973 stands presented.*

*Learned State counsel seeks time to verify the above factual position.*

*Posted for 09.05.2024.*

*Till the next date of hearing, petitioner is ordered to be released on interim bail in this case on her furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Duty Magistrate concerned. .”*

7. It is duly acknowledged by learned State Counsel that in pursuance of the aforesaid order, petitioner has joined investigation and her custodial interrogation is not required.

8. In view of the above, there is no justification to deny the concession of pre-arrest bail to the petitioner. Consequently, present petition is allowed; interim order dated 20.02.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

10. The above observations be not construed as an expression of opinion on merits of the case; rather confined only to decide the bail matter.

11. It is also clarified that in case of any recurrence on the part of petitioner, State would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

18.03.2025

Rajeev (rvs)

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned

Yes

Whether reportable

No