

Harpal Kaur Vs. *State of Punjab*1

**In the Court of Baljinder Singh,
Vacation Judge-Cum-Judge, Special Court, Sangrur
(Unique Identification No.PB0107)**

CIS Regst. No....BA-2075-2023
CNR No.PBSG01-005624-2023
Date of Order:.....22.06.2023

Harpal Kaur aged about 40 years wife of Amrik Singh, resident of village Jollian, Tehsil Bhawanigarh, District Sangrur (**now confined in District Jail Sangrur**).

....Accused/Applicant

Versus

State of Punjab

FIR No.81 dated 24.05.2023
U/s. 21/29/61/85 NDPS Act
Police Station: Bhawanigarh

Application under Section 439 Cr.P.C.

Present : Sh. Ajay Pal Singh, counsel for accused-applicant
Sh. Mohd. Hasib, Addl. Public Prosecutor for State

ORDER:

1 This bail application is put up before me being Vacation Judge. This application for regular bail has been moved on behalf of applicant-accused Harpal Kaur for offences under Sections 21 and 29 of NDPS Act by virtue of Section 439 Cr.P.C..

2 Notice of this bail application was given to State. Police record has been requisitioned. Arguments have been heard and record has been perused.

3 As per case of prosecution on 24.05.2023 ASI Kulwant Singh

Baljinder Singh
Vacation Judge/JSC,Sangrur

along with other police officials on official vehicle, in connection with patrolling and checking of suspicious persons and vehicle, were going from towards village Jolian via villages Bhalwan, Chhintawala, Kallar Kot and when that police party reached near Dala Mandi village Jolian at about 10.00 a.m. then one lady was seen coming on foot from the side of village Jolian, who on seeing the party became nervous and tried to turn towards backside after throwing one transparent plastic envelope but she was apprehended. On being asked she disclosed her name as Harpal Kaur wife of Amrik Singh son of Niranjan Singh, resident of village Jolian, P.S. Bhawanigarh and heroin/chitta was clearly visible in the transparent plastic envelope so thrown by aforesaid lady. Case was accordingly got registered against accused by sending ruqa to the police station and request was also made to send another Investigating Officer.

After some time, SI Gurmel Singh along with HC Gursewak Singh and L/SC Ranbir Kaur reached at the spot and after completing requisite formalities, 30 grams of heroin/chitta was recovered from the small transparent envelope thrown by accused which was taken into police possession.

On the basis of interrogation of applicant-accused Harpal Kaur, Binder Singh son of Dara Singh and Seema wife of Amar Singh @ Chilla residents of Jolian were nominated as accused in the present case and offence under Section 29 of NDPS Act was added.

4 It may be submitted at the very outset that the alleged

recovery from the possession of applicant-accused Harpal Kaur is that of 30 gram heroin/chitta. On the face of it such recovery comes within the preview of non-commercial quantity, although report of FSL is yet to receive. Applicant-accused has been in custody since 24.05.2023. Therefore, in the interest of justice, applicant-accused Harpal Kaur is admitted to interim bail till the receipt of report of FSL subject to furnishing bail bond in the sum of Rs.50,000/- with one surety in the like amount to the satisfaction of Id. Illaqa/Duty Magistrate, subject to following conditions:-

1. That applicant will appear in the Court on each and every date of hearing during trial without fail;
2. That applicant will not leave the Country without prior permission of the Court;
3. That applicant will not induce the prosecution witnesses as well as will not tamper the prosecution evidence, in any manner.

It is made clear that this order shall be subject to modification on receipt of report of FSL. Police record be returned. Bail application file be put up before concerned court on 06.07.2023 for further proceedings.

Pronounced in Open Court.
Dated:22.06.2023

(Baljinder Singh)
Vacation Judge-Cum-
Judge, Special Court,
Sangrur. UID No.PB0107

Parminder Stenographer Gr.-II

Harpal Kaur

Vs.

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Harpal Kaur Vs. State of Punjab
CNR No. PBSG01-005624-2023

BA-2075-2023

Present : Sh. Ajay Pal Singh, counsel for accused-applicant
Sh. Mohammad Hasib, Addl. Public Prosecutor for State

Arguments heard. Vide my separate detailed order of even date, applicant-accused has been admitted to interim bail as stated therein. Police record be returned. Bail application file be put up before concerned court on 06.07.2023 for further proceedings.

(Baljinder Singh)
Vacation Judge-Cum-
Judge, Special Court,
Sangrur. UID No.PB0107

Date: 22.06.2023
Parminder Stenographer Gr.-II

Baljinder Singh
Vacation Judge/JSC,Sangrur