

**IN THE COURT OF SH. GURDARSHAN KAUR DHALIWAL,
JUDGE SPECIAL COURT,
(UID:PB0146)
FAZILKA.**

Bail application No.3799/2019

CIS No. BA-1790/2019

CNR No.PBFZC0-004867-2019

Date of Order: 5.10.2019

Goma, aged about 53 years wife of babu Singh @ Raju, resident of village Kamal Wala, Tehsil and District Fazilka.

Applicant/accused

Versus

State of Punjab.

Respondent

FIR No.149 dated 19.9.2019

U/S 20/61/85 of NDPS Act,

P.S. City Fazilka, District Fazilka.

Application for grant of bail under Section 438 Cr.P.C.

Present: Sh. Bharat Chhabra, Advocate for applicant/accused.
Sh. Yogesh Kasrija, Addl. PP for the State/respondent.

ORDER

1. This order of mine shall dispose of bail application under Section 438 of Cr.P.C. moved by applicant/accused **Goma** in the above mentioned FIR.
2. Notice of the bail application was given to the State and the bail application has been opposed by learned Addl. PP for the State. Police record perused.
3. Learned counsel for applicant/accused has contended that the above-mentioned case is totally false and baseless against the applicant/accused. The applicant/accused has been falsely implicated in the present case as the allegations leveled against the applicant/accused in the FIR are totally false and baseless. Actually, the present FIR has been lodged against the applicant/accused just to harass the her. On the said date which has been mentioned in FIR, the applicant was at Delhi with her relative who is resident of Delhi. Even the applicant/accused has no concern with the co-accused as alleged in the FIR. She is having apprehension in his mind that she shall be arrested by the police. So, she be granted anticipatory bail in this case.

4. On the other hand learned Addl. PP for the State has vehemently opposed the bail application on the ground of gravity of offence.

5. I have heard learned counsel for the applicant/accused, learned Addl. PP for the State and have gone through the police file very carefully.

6. After hearing both the sides, I find that there is no merit in the anticipatory bail application file by the applicant/accused Goma as she alongwith her co-accused Raju Sahni and Luxman Shahu (non-applicants) has been alleged to have fled away from the spot when investigating officer indulged in the search proceedings. Recovery of 10 Kg. Ganja has been affected from the spot. In my view, the custodial interrogation of the applicant/accused is necessary. The antecedents and sources thereof from the applicant/accused are to be verified by the investigating agency and as such keeping in view the facts and circumstances of the case and also keeping in view that the offence involved in the case is an offence against the society at large, I do not deem it a fit case where applicant/accused Goma should be extended the concession of anticipatory bail and therefore, the present

bail application filed by the applicant/accused **Goma** is hereby ordered to be dismissed being without any merits. Bail application file be attached with the remand papers.

Pronounced in open Court.

Dated: 5.10.2019

Deepak Kumar

Stenographer Gr.II

Sd/-

(Gurdarshan Kaur Dhaliwal)

Judge, Special Court

Fazilka, UID No.PB-0146

Goma Vs. State of Punjab
BA-1790/2019

Present: Sh. Bharat Chhabra, Advocate for applicant/accused.
Sh. Yogesh Kasrija, Addl. PP for the State/respondent.

Police record produced. Arguments heard. Vide my separate detailed order of even date, present bail application has been dismissed. Police record be returned. Bail application be attached with the remand papers.

Pronounced in open Court.

Dated: 5.10.2019

Deepak Kumar

Stenographer Gr.II

Sd/-

(Gurdarshan Kaur Dhaliwal)

Judge, Special Court

Fazilka, UID No.PB-0146