

207.

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

CRM-M-34284-2016

Date of decision:08.12.2016

Baldev Singh @ Debu

... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amandeep Saini, Advocate,
for Mr. R.S. Sekhon, Advocate,
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.45 dated 24.07.2010 under Sections 18 of NDPS Act, registered at Police Station Kulgarhi, District Ferozepur.

Learned counsel for the petitioner states that petitioner is in custody since 16.02.2016 and the alleged recovery is of 1.250 grams of opium which is not a commercial quantity. He further states that petitioner was otherwise on bail but since he could not appear in Court on 17.08.2012 and, therefore, he was declared as P.O. on 21.11.2012 and his bail bonds were cancelled. However, he was arrested in another FIR on 16.02.2016 and thus, he is in custody since then.

Learned State counsel has filed custody certificate of the petitioner in court today, which is taken on record. He, on instructions from

per custody certificate, one more case in FIR No.187 dated 24.10.2015 under Sections 18/61/85 of NDPS Act, Police Station Ghall Khurd, is pending against him and in that case, he is not on bail.

Learned counsel for the petitioner, however, submits that in the said FIR No.187, petitioner is on bail.

Be that as it may, considering the fact that on account of alleged recovery of 1.250 grams of opium which is not a commercial quantity, petitioner is in custody since 16.02.2016, he is admitted on bail on furnishing adequate bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that in case, petitioner jumps the bail or is found indulged in any other case, the prosecution will be at liberty to seek cancellation of bail of the petitioner.

Petition stands disposed of.

(HARI PAL VERMA)
JUDGE

08.12.2016
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No