

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-14830 of 2017
Date of Decision: 12.05.2017

Sohan Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Parminder Singh, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.91 dated 17.03.2017 registered for the offence punishable under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Madhuban, District Karnal.

Heard.

Learned State counsel submits that on verification it was found that the petitioner is not accused in cases bearing FIR No. 290 dated 30.05.2016 and FIR No. 369 dated 12.10.2016, registered at Police Station Madhuban.

In this case recovery of 4.5 kgs. of poppy-husk was effected from the petitioner, who was arrested on 17.03.2017. The bail of petitioner was declined by Judge, Special Court, Karnal on the ground that above referred two cases are also pending against him.

In view of submission of learned State counsel but without

expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sohan Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- (a) The petitioner shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn. The trial Court shall be competent to cancel his bail bond and surety bond and proceed to procure his presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) He shall not leave the country without the previous permission of the Court.

May 12, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No