

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M- 16498 of 2017
Date of Decision: 16.05.2017

Sahil

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.K. Saini, Advocate
for the petitioner.

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. 320 dated 07.04.2017 registered for the offence punishable under Section 21 of Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station City Hisar, District Hisar.

Heard.

Notice of motion.

On asking of the court, Ms. Neelam Kashyap, DAG, Haryana who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

As per case of prosecution, 30 gms. of smack, which is not a commercial quantity, was recovered from the petitioner on 06.04.2017.

In view of the fact that the matter is still under investigation and quantity of contraband recovered from the petitioner falls in the category of medium quantity but without expressing any opinion on merits

of the case and taking into account the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sahil 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 16, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No