

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-19358 of 2017
Date of Decision: 31.05.2017

Jagraj Singh @ Jagga

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.S. Sekhon, 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.92 dated 30.03.2017 registered for the offence punishable under Section 15 of Narcotics Drugs and Psychotropic Substances Act, 1985, at Police Station City Sangrur, District Sangrur.

Heard.

Notice of motion.

On asking of the court, Mr. Jashanpreet Singh, AAG, Punjab, 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 him.

As per case of prosecution, the petitioner was arrested on 30.03.2017 alongwith his co-accused Gurnam Singh and recovery of 40 kgs. of poppy-husk was effected from their possession.

It is submitted that challan has not been presented so far and the matter is still under investigation.

Recovery effected from the petitioner is of non-commercial quantity.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that completion of investigation and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Jagraj Singh @ Jagga 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 31, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No