

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

**Crl. Misc. No.M-22045 of 2017 (O&M)
Date of Decision: August 18, 2017.**

Faisjal @ Faisal Khan

.....PETITIONER(s).

VERSUS

State of U.T., Chandigarh

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Yashpal Thakur, Advocate
for the petitioner (s).

Mr. Anil Kumar Lamdharia, Addl. P.P.,
for U.T., Chandigarh.

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. 66 dated 15.04.2017 registered for the offence punishable under Section 21 Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Mani Majra, Chandigarh.

Heard.

The recovery of contraband (10 injections of Buprenorphine (2ml. each)) was of non-commercial quantity. The petitioner was arrested on 15.04.2017 and since then, he is in custody.

Learned State counsel submits that after completion of investigation, the police has already presented the challan and now trial is

pending for recording evidence of prosecution.

Keeping in view the above facts and that the trial will take considerably long time, the present petition is allowed. Petitioner Faisjal @ Faisal Khan 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 before the trial Court.
- c. He shall not leave the country without the previous permission of the Court.

August 18, 2017

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**(SURINDER GUPTA)
JUDGE**

***Whether speaking/reasoned:
Whether Reportable:***

***Yes/No
Yes/No***