

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-22190 of 2017
Date of Decision: 22.06.2017

Kulbir Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Amandeep Kansal, 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.48 dated 27.04.2017 registered for the offence punishable under Section 21 of Narcotics Drugs and Psychotropic Substances Act, 1985, at Police Station City Sunam, District Sangrur.

Heard.

Notice of motion.

On asking of the court, Mr. T.N. Sarup, Addl. AG, 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 by the police of Police Station City Sunam and 15 gms. of smack was effected from his possession, which falls in non-commercial quantity.

Keeping in view the nature of recovery 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-Kulbir 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

June 22, 2017
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No