

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-22912 of 2017
Date of Decision: 06.07.2017

Daljit Singh

....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.38 dated 25.04.2017 registered for offences punishable under Sections 15 and 16 of Narcotics Drugs and Psychotropic Substances Act, 1985, at Police Station Sadar Nabha, District Patiala.

Heard.

Notice of motion.

On asking of the court, Ms. Rajni Gupta, Sr. DAG, 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 her.

Learned State counsel submits that the petitioner was arrested and recovery of 2 kgs. 600 gms. of poppy pods was effected from his possession, which falls in non-commercial quantity.

It has been submitted that the petitioner was arrested on 25.04.2017 and the matter is still under investigation.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

July 06, 2017

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**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No