

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-25524 of 2017
Date of Decision: 24.07.2017

Parminder Singh @ Toni

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. A.D.S. Sukhija, 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.32 dated 14.04.2017 registered for offences punishable under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Mullanpur, District SAS Nagar Mohali.

Heard.

Notice of motion.

On asking of the court, Mr. Ajay Pal Singh Gill, 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 him.

Learned counsel for the petitioner submits that as per prosecution, recovery of 100 gms. of heroin was effected from the petitioner on 14.04.2017. He further submits that after completion of investigation, police has presented the challan against the petitioner and his custodial interrogation is no more required.

The quantity of contraband recovered from the petitioner falls in non-commercial quantity.

Keeping in view the fact that after presentation of challan, conclusion of trial will take considerably long time but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner -Parminder Singh @ Toni 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 24, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No