

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-2912 of 2017

Date of Decision: 03.02.2017

Raj Rani

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Manish Verma, 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.15 dated 14.02.2016 registered for offences punishable under Sections 20 and 21 of the Narcotic Drugs and Psychotropic Substances Act, at Police Station Sector 20, District Panchkula.

Heard.

Notice of motion.

On asking of the court, Ms. Harpreet Kaur, AAG, Haryana, 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.

As per case of prosecution, recovery of 25 gms and 850 mg. of charas and 20 kgs. of ganja was effected from possession of the petitioner and she was arrested on 14.02.2016.

Learned counsel for the petitioner submits that quantity of contraband recovered from possession of the petitioner is non-commercial.

This fact is also not disputed by learned State counsel.

Learned State counsel submits that challan has already been presented against the petitioner.

In view of above but without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Raj Rani 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- (b) In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- (c) She shall not leave the country without the previous permission of the Court.

February 03, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No