

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-37187 of 2017
Date of Decision: 10.10.2017

Sarwan

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ajay Arora Bharti, 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.362 dated 15.05.2015 registered for offences punishable under Sections 15, 16, 27-A of Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station City Sirsa, District Sirsa.

Heard.

Notice of motion.

On asking of the court, Mr. Deepak Grewal, DAG, 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 him.

Recovery of 140 kgs. of poppy-husk was effected from abandoned vehicle bearing registration no. PB-11-BN-5147, which during investigation was found to have been sold to petitioner vide affidavit dated 21.04.2015. The petitioner was not apprehended at the spot. The other co-accused, namely, Ram Kishan @ Bholu has been allowed regular bail vide

order dated 06.05.2016 passed in CRM-M-14507 of 2016.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

October 10, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No