

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-3962 of 2017

Date of Decision: 21.02.2017

Balvir Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vivek Goel, 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. 90 dated 16.09.2016 registered for offences punishable under Sections 21 and 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Bajakhana, District Faridkot.

Heard.

Notice of motion.

On asking of the court, Mr. Jashanpreet Singh, AAG, 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 co-accused Balwinder Kaur, mother of the petitioner, has been allowed interim bail as report of FSL regarding contents of powder allegedly recovered from him has not been received so far.

Applying the principle of parity but without expressing any

opinion on merits of the case, instant petition is allowed. Petitioner-Balvir Singh is ordered to be released on interim 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.
- (d) On receipt of report of FSL, he will surrender before CJM, Faridkot and abide by further order that may be passed by Court.

February 21, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No