

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-40023 of 2017 (O&M)
Date of Decision: November 02, 2017.**

Vajir Singh @ Sonu

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner (s).

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.119 dated 05.09.2013 registered for the offence punishable under Section 21 of Narcotics Drugs and Psychotropic Substances Act, 1985, at Police Station Sarhali, District Tarn Taran.

Heard.

Notice of motion.

On asking of the court, Mr. C.L. Pawar, Sr. D.A.G., 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 petitioner was not well, as such, could not appear before trial Court on 30.01.2017 and

after his arrest in another case, he was produced in Court on 30.08.2017.

Learned State counsel submits that by absenting from trial, the petitioner has delayed the trial in which there are other accused as well.

Keeping in view the fact that petitioner has been arrested on 30.08.2017 and is in custody since then but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Vajir Singh alias Sonu is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

November 02, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***