

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-10135 of 2018
Date of Decision: 09.05.2018

Dalip Singh @ Dalipo

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. H.B.S. Bhinder, Advocate
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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.112 dated 24.12.2017 registered for the offence punishable under Section 20 of the Narcotic Durgs and Psychotropic Substances Act, 1985, at Police Station Shahpurkandi, District Pathankot.

Heard.

As per case of prosecution, petitioner was arrested on 24.12.2017 and recovery of 550 gms of Charas was effected from his possession, which falls in non-commercial quantity.

Learned State counsel submits that the matter is still under investigation and challan has not been filed in this case. She, however, admits that recovery of contraband from the petitioner falls in non-commercial quantity of contraband.

Without expressing any opinion on merits of the case and keeping in view above facts, period of incarceration of petitioner and that

conclusion of investigation and then trial will take considerably long time, the present petition is allowed. Petitioner-Dalip Singh @ Dalipo 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

May 09, 2018
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No