

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-11060 of 2018 (O&M)

Date of Decision: 10.05.2018

Baljit Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Manjot Kaur, 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.8 dated 16.01.2017 registered for the offence punishable under Section 15 of Narcotic Durgs and Psychotropic Substances Act, 1985 at Police Station Lehra, District Sangrur.

Heard.

Learned State counsel submits that recovery of 102 kgs. of poppy-husk was effected from an abandoned car. The police is relying on testimony of *ex-sarpanch* Gursewak Singh to connect the petitioner and other co-accused, namely, Kaka Signh and Balwinder Ram in support of its version that they were in possession of contraband.

Kaka Singh and Balwinder Ram have already been allowed regular bail vide orders dated 09.11.2017 passed in CRM-M-40967 of 2017 and 01.12.2017 passed in CRM-M-42940-2017.

The evidence against petitioner is similar as it is against

aforesaid co-accused, as such, 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-Baljit Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 10, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No