

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

**Crl. Misc. No.M-13134 of 2018 (O&M)
Date of Decision: August 31, 2018**

Sukhwinder Singh @ Sukha

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Himanshu Puri, Advocate
for the petitioner (s).

Mr. Ramandeep S. Sandhu, Sr. 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. 20 dated 03.02.2018 registered for the offence punishable under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Fattu Dyinga, District Kapurthala.

Heard.

Learned State counsel submits that report of FSL has been received and as per which salt of contraband recovered from the petitioner was found to be that of '*Aprazolam*'. However, quantity of contraband recovered from the petitioner is less than 40 mg and falls in non-commercial quantity.

Keeping in view the fact that recovery effected from the

petitioner is of non-commercial quantity of contraband, order dated 09.05.2018 is made absolute, till the disposal of the case, subject to the 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

August 31, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

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

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