

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

CRM-M-13956-2018 (O&M)

Date of decision: 6.9.2018

Jagsir Singh alias Jagga

...Petitioner(s)

VERSUS

State of Punjab

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. L.S.Sekhon, Advocate.
for the petitioner

Mr. V.G.Jauhar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, 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.15 dated 20.1.2018 registered for the offences punishable under Sections 22 of Narcotic Drugs & Pscyhotropic Substance Act (for short, NDPS) at Police Station Sadar, Sunam, District Sangrur.

Heard.

Learned State counsel has placed on record report of Forensic Science Laboratory.

Learned counsel for petitioner submits that recovery effected from the petitioner of Tramadol does not fall within the ambit of NDPS Act. Moreover, the recovery made from the petitioner is of non-commercial quantity. Therefore, provisions of Section 37 NDPS Act are not applicable.

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-Jagsir Singh alias Jagga son of Naib Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction and subject to the conditions, if any, to be imposed by concerned trial Court/Chief Judicial Magistrate/Duty Magistrate, and 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 6, 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No