

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26626 of 2018
Date of Decision: 04.07.2018

Rohit Kumar

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Parvinder Singh, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, Haryana.

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. 52 dated 18.03.2018 registered for the offence punishable under Section 21 of Narcotic Durgs and Psychotropic Substances Act, at Police Station Sirsa Sadar, District Sirsa.

Heard.

As per allegations against the petitioner, 16 gms., including weight of plastic bag, of powder (alleged to be heroin) was recovered from him on 18.03.2018 and he was taken into custody. After completion of investigation, challan has been presented against him but the FSL report is still awaited.

Keeping in view the period of incarceration of petitioner and quantum of recovery effected from him but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner-Rohit Kumar 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 04, 2018
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No