

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

**Crl. Misc. No.M-27925 of 2018 (O&M)
Date of Decision: September 24, 2018**

Kanwaljit Singh

.....PETITIONER(s).

VERSUS

State of Punjab

.....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ranjit Sharma, Advocate
for the petitioner (s).

Mr. Sandeep Kumar, D.A.G. 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. 57 dated 01.03.2012 registered for the offence punishable under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Cantonment, Amritsar, District Amritsar.

Heard.

Report of learned trial Court has been received, as per which the case was last fixed for prosecution evidence on 19.09.2018.

Learned State counsel on instructions from ASI Davinder Singh submits that now the case is fixed for 03.10.2018 for remaining prosecution witnesses and only one witness remain to be examined.

As per case of the prosecution, the petitioner was initially

apprehended on 01.03.2012 and recovery of 8 grams of heroin was effected from his possession. He was thereafter allowed bail on 12.04.2012. During trial, he absented on 12.03.2014 and was declared proclaimed offender. Now, he has been arrested on 16.03.2018 and is in custody since then.

Keeping in view the above facts but without expressing any opinion on merits of the case, the present petition is allowed. Petitioner Kanwaljit Singh is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

September 24, 2018
Sachin M.

(SURINDER GUPTA)
JUDGE

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

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