

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

Crl. Misc. No.M-29224 of 2018

Date of Decision: July 19, 2018

Jaswinder Singh @ Jassa

.....**PETITIONER(s).**

VERSUS

State of Haryana

.....**RESPONDENT(s).**

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sandeep Verma, Advocate
for the petitioner (s).

Ms. Dimple Jain, A.A.G. 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.284 dated 27.5.2018 registered for the offence punishable under Sections 15 of Narcotic Drugs & Psychotropic Substances Act at Police Station City, Pehowa, District Kurukshetra.

Heard.

As per case of prosecution, 2.470 kilograms poppy straw was recovered from the possession of petitioner which falls in non commercial quantity of contraband. The petitioner was arrested on 27.5.2018 and is in custody since then.

Learned counsel for the petitioner submits that in the other case bearing FIR No. 476 dated 14.9.2017 registered against the petitioner for recovery of 900 grams of poppy husk, he has been allowed bail.

The quantity recovered from petitioner clearly depicts that he

has not indulging in the trade of narcotics. The matter in this case is still under investigation.

Keeping in view the period of incarceration of petitioner and quantity of recovery effected from him, the present petition is allowed. Petitioner Jaswinder Singh @ Jassa 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 the prior permission of the Court.

July 19, 2018
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No