

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

CRM-M-30826-2018

Date of decision: 27.07.2018

Harbans Singh @ Tati

... Petitioner

VS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. S.S.Gill, Advocate
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

Raj Shekhar Attri, J.(Oral)

The present petition has been filed under Section 439 Cr.PC for grant of regular bail in case FIR No.63 dated 22.05.2018 registered under Section 15 & 25 NDPS Act, 1985 at Police Station Passiana District Patiala.

Heard.

Learned counsel for the petitioner submits that recovery effected from the petitioner is 32 kgs of poppy husk, which is non-commercial quantity. The petitioner is in custody since 22.05.2018. The trial of the case will take time. No useful purpose will be served by keeping the petitioner in custody any further.

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 Harbans Singh @ Tati is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of trial Court/Chief Judicial Magistrate/Duty Magistrate, Patiala, 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

27.07.2018
sonia

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No