

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-32644 of 2018
Date of Decision: 08.08.2018

Gurlal Singh @ Lali

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. T.P.S. Bhatti, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, 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.115 dated 20.12.2015 registered for offences punishable under Sections 29 of Narcotic Drugs and Psychotropic Substances Act, 1985 and 25 of the Arms Act, at Police Station Bhindi Saidan, Amritsar, District Amritsar.

Heard.

Learned State counsel on instructions from ASI Sukhdev Singh submits that police was having secret information that petitioner and his co-accused, namely, Balbir Singh and Angrej Singh are indulging in trade of narcotics. A *naka* was held and Balbir Singh with Angrej Singh was apprehended by the police party. On their search, recovery of 3 kgs. of Heroin alongwith one pistol and five live cartridges was effected from their possession.

Admittedly, neither the petitioner was arrested at the spot nor any recovery was effected from his possession.

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-Gurlal Singh @ Lali 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 08, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No