

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-33368 of 2018
Date of Decision: 10.08.2018

Harvinder Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjeev Manrai, Sr. Advocate with
Mr. Malkiat Singh, Advocate
for the petitioner.

Mr. Amrik Narwal, DAG, 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.541 dated 25.06.2018 registered for the offence punishable under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Civil Lines Karnal, District Karnal.

Heard.

As per case of prosecution, 50 gms. of Opium was recovered from possession of the petitioner on 25.06.2018.

Learned State counsel submits that sample of Opium has been sent to FSL but report is still awaited.

Keeping in view the fact that recovery effected from the petitioner is of non-commercial quantity of contraband, receipt of report from FSL, completion of investigation, presentation of challan and conclusion of trial will take considerably long time, the present petition is

allowed. Petitioner-Harvinder Singh 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 10, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No