

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-35685 of 2018
Date of Decision: 24.08.2018

Veeru

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Shivroop Singh Dhaliwal, Advocate
for the petitioner.

Mr. Amitoj Singh Dhaliwal, 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.28 dated 04.03.2018 registered for the offences punishable under Section 22 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Kabarwala, District Muktsar Sahib.

Heard.

Learned State counsel submits that recovery of 44.120 gms. of “Alprazolam” and 69.915 gms. of “Tramadol Hydrochloride” was effected from the petitioner. Recovery of “Alprazolam” falls in non-commercial quantity while “Tramadol Hydrochloride” has now been declared as contraband vide notification issued in April, 2018.

Instant FIR was registered on 04.03.2018 and admittedly, recovery of contraband from the petitioner is of non-commercial quantity.

In view of above but 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-Veeru 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 24, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No