

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-35912-2018

Date of Decision: 24.8.2018

Gursewak Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Satwant Mehta, Advocate
for the petitioner.

Mr. V.G.Jauhar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, 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.157 dated 1.12.2017 registered for the offences punishable under Sections 21, 22 and 29 of Narcotic Drugs & Pscyhotropic Substance Act (for short, "NDPS") at Police Station Valtoha, District Tarn Taran.

Heard.

Learned counsel for petitioner submits that it is a case of non-commercial quantity. The petitioner was not apprehended at the spot nor named in the FIR. However, he was subsequently arrested.

It is further submitted that 336 tablets of Alprazolam were recovered from the spot which falls within non-commercial quantity.

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-Gursewak Singh son of

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

(RAJ SHEKHAR ATTRI)
JUDGE

August 24, 2018

Paritosh Kumar

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No