

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-40866 of 2018
Date of Decision: 21.09.2018

Titu Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Raj Kumar Gupta, 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.08 dated 20.01.2018 registered for the offence punishable under Section 18 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Doraha, District Ludhiana.

Heard.

Learned State counsel submits that during investigation, main accused, namely, Gurjit Singh has stated that he knew the petitioner for the last five months and had supplied him 1 kg. of Opium twice. On this statement, petitioner was arrested. However, in this case no recovery was effected from him. He, however, submits that petitioner is also involved in another case bearing FIR No. 35 dated 01.05.2016, registered at Police Station Malod, District Ludhiana for offence punishable under Section 22 of NDPS Act.

Keeping in view the fact that no recovery has been effected

from the petitioner in this case and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Titu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

September 21, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No