

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

**CRM-M-50017 of 2018
Date of Decision: 20.11.2018**

Rohail Rashid Dar

....Petitioner

VERSUS

State of Punjab

....Respondent

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

Present: Mr. L.S.Mann, 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 (in short, “Cr.P.C”.) for grant of regular bail to the petitioner in case FIR No.38 dated 20.7.2018 registered for the offences punishable under Sections 22 of Narcotic Drugs & Psychotropic Substance Act at Police Station GRP Pathankot, District Pathankot.

Heard.

It has been the case of the prosecution that 400 capsules of Tramadol Hydrochloride were recovered from the petitioner. The weight of each capsule comes to 608 mg and the total weight of 400 capsules comes to 243.2 grams which is less than the commercial quantity of 250 grams.

Learned State counsel has conceded this fact.

Without expressing any opinion on merits of the case and keeping in view the fact that conclusion of trial will take considerably long

Abdul Rashid Dar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 20, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No