

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-692 of 2018

Date of Decision: 09.05.2018

Rachpal Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Narinder S. Lucky, Advocate
for the petitioner.

Ms. Monika Jalota, 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.108 dated 27.11.2017 registered for the offence punishable under Section 22 of the Narcotic Durgs and Psychotropic Substances Act, 1985, at Police Station Bhadaur, District Barnala.

Heard.

Learned State counsel has filed short affidavit of Deputy Superintendent of Police, Sub Division Tapa, District Barnala, which is taken on record.

As per case of prosecution, petitioner was arrested on 27.11.2017 and recovery of 140 tablets of salt "Alprazolam" weighing 18.9 gms. was effected from his possession, which falls in category of non-commercial quantity of contraband.

Learned State counsel on instructions from ASI Balwinder Singh submits that challan has been filed in this case and charges have also

been framed against the petitioner.

Without expressing any opinion on merits of the case and keeping in view above facts, period of incarceration of petitioner and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Rachpal 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

May 09, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No