

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-54745 of 2018
Date of Decision: 17.12.2018

Amarjot Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

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

Present: Mr. G.S.Simble, Advocate, for
Mr. Chander Kant Mahajan, Advocate,
for the petitioner.

Mr. C.L.Pawar, Sr. DAG, Punjab.

RAJ SHEKHAR ATTRI, J.

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 28.5.2014 registered for the offences punishable under Sections 379, 411 of Indian Penal Code (for short, “IPC”) and Section 22 of NDPS Act at Police Station Dera Baba Nanak, Police District Batala.

Heard.

Learned counsel for petitioner submits that the petitioner was earlier arrested and was granted bail. However, due to some reason, he could not appear before the learned trial Court on the date fixed and violated the terms and conditions of the bail. Accordingly, he was declared proclaimed offender and thereafter, he was arrested.

Recovery effected from the petitioner falls within non-

commercial quantity of the contraband.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

December 17, 2018

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No