

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-14455 of 2019
Date of Decision: 16.10.2019

Piyush Kumar @ Saim

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Lal Singh Sandhu , Advocate
for the petitioner.

Ms. Dimple Jain, A.A.G. Haryana.

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. 11 dated 01.02.2019 registered for the offence punishable under Section 21 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Civil Line Sirsa, District Sirsa.

Heard.

As per case of prosecution, 50 gms. of Heroin was recovered from possession of the petitioner, when he was apprehended on 01.02.2019 by the police party headed by ASI Satya Narain of Police Station Civil Line, Sirsa.

Learned counsel for the petitioner submits that the petitioner is in custody for the last more than eight months and the prosecution has not been able to conclude its evidence so far.

Without expressing any opinion on merits of the case and keeping in view the fact that recovery from the petitioner is of non-

commercial quantity of contraband and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Piyush Kumar @ Saim 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

October 16, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No