

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-15937 of 2019
Date of Decision: 22.07.2019

Sanjay @ Muchal

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. S.K. Verma, Advocate
for the petitioner.

Ms. Dimple Jain, AAG, 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.31 dated 28.01.2019 registered for the offence punishable under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Dadri, District Charkhi Dadri.

Heard.

Notice of motion.

On asking of the court, Ms. Dimple Jain, AAG, Haryana, who is present in the Court accepts notice and submits that intimation by Registry informing of fixation of the petition has already been received and record of the case is available with her.

Learned counsel for the petitioner submits that recovery from the petitioner is 110 gms. of Charas, which falls in non-commercial quantity of contraband. He has been in custody from 28.01.2019.

Learned State counsel submits that after completion of

investigation challan against the petitioner has been presented in Court and 3 out of 11 witnesses have been examined so far.

Without expressing any opinion on merits but keeping in view the quantity of contraband recovered from the petitioner and the fact that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sanjay @ Muchal 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

July 22, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No