

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-26238 of 2019
Date of Decision: 08.07.2019

Attar Singh

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Namit Khurana , Advocate
for the petitioner.

Mr. Munish Sharma, 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.403 dated 08.12.2018 registered for offences punishable under Sections 20 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Taraori, District Karnal.

Heard.

Learned State counsel submits that the petitioner was arrested on 08.12.2018 while carrying 900 gms. of Charas. After conclusion of investigation challan against him has already been presented and the case is now fixed for prosecution evidence. Till date prosecution has examined four out of eleven witnesses.

Learned counsel for the petitioner submits that recovery from the petitioner is of non-commercial quantity and conclusion of trial will take considerably long time and no purpose will be served by keeping the petitioner in custody.

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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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

July 08, 2019

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**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No