

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 227

Criminal Miscellaneous No.M-29568 of 2019
Date of Decision: *November 07, 2019*

Lakhbir Singh @ Hira

..... PETITIONER(S)

VERSUS

State of Punjab

..... RESPONDENT(S)

...

CORAM: **HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

...

PRESENT: - Mr. Ashish Aggarwal, Advocate, for the petitioner.

Mr. Ramandeep Singh, Senior Deputy Advocate General,
Punjab.

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Harinder Singh Sidhu, J (Oral)

This petition has been filed by the petitioner for grant of regular bail in case FIR No.12 dated 24.02.2018 under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Khem Kalan, District Tarn Taran.

The allegations against the petitioner are that he was found in possession of 750 intoxicant tablets, which as per the FSL, found to contain the salt Alprazolam. The total weight of the contraband came to 107.25 gms.

The petitioner was apprehended on 24.02.2018. Thereafter, he was released on interim bail vide order dated 01.05.2018 passed by the

Additional Sessions Judge, Tarn Taran, and again taken in custody on 18.02.2019.

Challan was presented on 15.02.2019. Since then, out of eight prosecution witnesses, only one witness has been examined. Infact, on as many as 15 occasions, no PW was present and the case had to be adjourned on that count.

Recovery from the petitioner is marginally higher than the commercial quantity. He is in custody since 24.02.2018 except for three months' period wherein he was released on interim bail.

Without commenting on the merits of the case, the petition is allowed. The petitioner is admitted to bail on furnishing of his bail bonds and surety bonds to the satisfaction of Chief Judicial Magistrate/Duty Magistrate, Tarn Taran.

However, it is made clear that in case the petitioner is found indulged in any other case of similar nature, the prosecution is at liberty to seek cancellation of his bail.

November 07, 2019

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(Harinder Singh Sidhu)
Judge

Whether Speaking/ Reasoned:

Yes/ No

Whether Reportable:

Yes/ No