

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.**

**Crl. Misc. No.M-32842 of 2019 (O&M)
Date of Decision: August 26, 2019**

Lokesh Kumar

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Naresh Kumar Ganga Advocate
for the petitioner.

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. 265 dated 09.09.2018 registered for the offences punishable under Section 22 of Narcotic Drugs & Psychotropic Substances Act, at Police Station Sadar Sirsa, District Sirsa.

Heard.

Notice of motion.

On asking of the court, Mr. Munish Sharma, Asst. A.G., 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 him.

As per case of the prosecution, one Gurcharan Singh was apprehended by the police of Police Station Sadar Sirsa and recovery of 900

capsules containing Tramadol Hydrochloride was effected. During investigation, he disclosed that he had purchased the contraband from the petitioner.

Initially, the petitioner was arrested on 09.09.2018 and later on released on interim bail due to non-receipt of FSL report. After receipt of FSL report, he surrendered on 17.07.2019. After completion of investigation, challan has been presented against him.

Keeping in view the facts that no recovery was effected from the petitioner and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Lokesh Kumar is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of concerned 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 prior permission of the Court.

August 26, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No