

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-34912 of 2019

Date of Decision: 30.08.2019

Sunil Kumar @ Sillu

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Gautam Kumar , Advocate
for Mr. Satnam Singh Gill, 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. 576 dated 23.06.2019 registered for offences punishable under Sections 21 and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Thanesar, District Kurukshetra.

Heard.

Notice of motion.

On asking of the Court, Mr. Munish Sharma, 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 him.

As per case of prosecution, 7 gms. of Smack (non-commercial quantity) was recovered from the petitioner, who was apprehended on 23.06.2019.

Learned State counsel submits that petitioner is facing trial in two other similar cases. However, he is on bail in those cases.

Without expressing any opinion on merits of the case, keeping in view the quantum of recovery effected 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-Sunil Kumar @ Sillu 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

August 30, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No