

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

**Crl. Misc. No.M-39296 of 2019 (O&M)
Date of Decision: December 04, 2019**

Balwinder Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.S.Dhillon, Advocate
for the petitioner (s).

Mr. Rakeshinder Singh Sidhu, A.A.G, Punjab.

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. 110 dated 11.07.2019 registered for the offence punishable under Section 22 of Narcotic Drugs & Psychotropic Substances Act at Police Station Arniwala, Tehsil and District Fazilka.

Learned State counsel submits that petitioner was apprehended by police party headed by ASI Angrej Singh, Police Station Arniwala, Tehsil & District Fazilka on 11.07.2019 and recovery of 248.45 grams of tablets, which as per report of FSL were of 'Tramadole Hydrochloride', were recovered from his possession.

Admittedly, the recovery effected from the possession of

investigation, challan has not been presented so far.

Keeping in view the fact that quantity of recovery effected from the petitioner falls in non-commercial quantity and conclusion of trial will take considerably long time, the present petition is allowed. On his surrendering before the jail authority after expiry of interim bail, petitioner-Balwinder Singh is ordered to be released on regular bail on his 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

December 04, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***