

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-39933 of 2019
Date of Decision: 12.12.2019

Akhtar Ali @ Tinku

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Bhupender Singh, Advocate
for Mr. Rahul Vats, Advocate
for the petitioner.

Mr. Kuldeep Sharma, DAG, 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.576 dated 23.06.2019 registered for offences punishable under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station City Thanesar, District Kurukshetra.

Heard.

As per case of prosecution, 7 gms. of Smack (non-commercial quantity) was recovered from co-accused, namely, Sunil Kumar @ Shillu and the petitioner was nominated as supplier of the drugs on the disclosure statement of said Sunil Kumar @ Shillu.

Vide order dated 30.08.2019 passed in CRM-M-34912-2019, Sunil Kumar @ Shillu has been allowed regular bail. The petitioner was arrested in this case on 02.09.2017.

Without expressing any opinion on merits of the case and keeping in view the fact that co-accused has already been allowed regular

bail; challan against the petitioner has been presented in Court; and conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Akhtar Ali @ Tinku 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

December 12, 2019
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(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No