

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

**(1) CrI. Misc. No.M-43331 of 2019 (O&M)
Date of Decision: October 23, 2019**

Raman Kumar @ Raman Sharma @ Munna

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CrI. Misc. No.M-31959 of 2019 (O&M)

Paramjeet Kaur

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajiv Joshi, Advocate
for the petitioner in CRM-M-43331-2019.

Mr. Sanjeev Kumar, Advocate
for the petitioner in CRM-M-31959-2019.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

SURINDER GUPTA, J.(Oral)

These petitions have been filed under Section 439 Code of Criminal Procedure for grant of regular bail to the petitioners in case FIR No. 177 dated 17.05.2019 registered for the offence punishable under Section 22 of Narcotic Drugs and Psychotropic Substances, Act and 61 of Excise Act, at Police Station Phillaur, District Jalandhar.

The petitioners were arrested in this case on 17.05.2019 for

offence punishable under Section 22 of NDPS Act and 61 of Punjab Excise Act.

Learned State counsel submits that after receipt of report of FSL, it was found that offence under Section 22 of NDPS Act was not made out. Only offence under Section 61 of Punjab Excise Act is made out.

In view of submissions of learned State counsel, both the petitions are allowed. Petitioners -Raman Kumar @ Raman Sharma @ Munna and Paramjeet Kaur are ordered to be released on regular bail on furnishing their bail bonds and surety bonds to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to following terms:-

- a. The petitioners shall comply with the conditions mentioned in Section 437(3) Cr.P.C.
- b. In the event of their absence on any date of hearing, the benefit of bail allowed to the petitioners shall stand withdrawn. The trial Court shall be competent to cancel their bail bonds and surety bonds and proceed to procure their presence in accordance with law. In that eventuality the petitioners shall have to apply for bail afresh.
- c. They shall not leave the country without the prior permission of the Court.

October 23, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No