

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-46308 of 2019

Date of Decision: 08.11.2019

Sant Lal

....Petitioner

VERSUS

State of Haryana

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. R.S. Mamli, 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.309 dated 18.05.2016 registered for offences punishable under Sections 21-C and 27-A of Narcotic Drugs and Psychotropic Substances Act, 1985 and 25 of the Arms Act at Police Station Ratia, District Fatehabad.

Heard.

Notice of motion.

On asking of the Court, Ms. Dimple Jain, A.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 her.

The petitioner was arrested on 18.05.2016 and recovery of 20 gms. of Heroin was effected from his possession. Thereafter, he absconded and has been arrested on 23.07.2019.

Learned counsel for petitioner submits that petitioner has not appeared before the trial Court due to some wrong advice given to him.

Keeping in view quantum of recovery he may be released on heavy surety.

Without expressing any opinion on merits of the case and keeping in view the period of incarceration of petitioner and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner-Sant Lal is ordered to be released on regular bail on furnishing bail bond and surety bond in a sum of ₹ 1 lakh before the 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- (b) In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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.

November 08, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No