

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No. 44746 of 2019 (O&M)

DATE OF DECISION: OCTOBER 24, 2019

Gurdev Singh @ Devi

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM:- HON'BLE MR.JUSTICE SURINDER GUPTA

Present: Mr.JS Dhaliwal, Advocate
for the petitioner.

Ms.Dimple Jain, AAG Haryana.

<><><>

SURINDER GUPTA, J.

The present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.355 dated 30.8.2019, registered under Section 15 of the NDPS Act at Police Station Rania, District Sirsa.

As per the case of the prosecution, 4 kgs. and 400 grams of poppyhusk recovered from the petitioner on 30.8.2019.

Learned State counsel submits that the sample taken from the recovered poppyhusk was sent to FSL and report is still awaited.

Without expressing any opinion on merits of the case and keeping in view the fact that the recovery is of non-commercial quantity of contraband, the present petition is allowed. Petitioner is ordered to be released on regular bail on furnishing bail bond and surety bond to the satisfaction of Chief

Judicial Magistrate/Duty Magistrate, Sirsa subject to following terms:

a. The petitioner shall comply with the conditions mentioned in Section 437(3) of the Code of Criminal Procedure.

b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 the eventuality, the petitioner shall have to apply for bail afresh.

c. He shall not leave the country without prior permission of the Court.

OCTOBER 24, 2019

SRM

(SURINDER GUPTA)
JUDGE

Note:	<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
	<i>Whether Reportable:</i>	<i>Yes/No</i>