

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

**Crl. Misc. No.M-47981 of 2019 (O&M)
Date of Decision: December 04, 2019**

Raj Kumar @ Bagri

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Ajay Vijarana, Advocate
for the petitioner.

Ms. Dimple Jain, A.A.G., 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. 241 dated 27.10.2010 registered for the offences punishable under Sections 15, 16, 27-A and 29 of Narcotic Drugs & Psychotropic Substances Act at Police Station Badhra, District Charkhi Dadri.

Learned State counsel submits that the police party on the basis of secret information had apprehended one pick-up Dalla and one Santro car on 27.10.2010 and recovered 2250 Kg of poppy husk from these vehicles, out of which, 240 kg of poppy husk was kept in the Santro car. On investigation, the petitioner was found to be the owner of the Santro car and it was revealed that he had been providing Santro car for transportation and smuggling of the contraband from Rajasthan to Haryana.

The petitioner was arrested on 19.06.2019 and challan against the petitioner has been presented in the Court.

Keeping in view the fact that no recovery was effected from the petitioner and that conclusion of trial will take considerably long time, the present petition is allowed. Petitioner Raj Kumar @ Bagri 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- b. In the event of his absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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***