

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

**Crl. Misc. No.M-49915 of 2019 (O&M)
Date of Decision: November 28, 2019.**

Santosh @ Toshi @ Chanderpati

.....PETITIONER

VERSUS

State of Haryana

.....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. K.L.Saini, Advocate
for the petitioner (s).

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. 151 dated 21.09.2019 registered for the offences punishable under Sections 20(b), 27-A/29 of Narcotic Drugs and Psychotropic Substances, Act at Police Station Garhi, District Jind.

Heard.

Notice of motion.

On asking of the court, Mr. Munish Sharma, Asst. 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 him.

Learned State counsel has argued that in this case 2.5 kg.

'Ganja' was recovered from the possession of accused Rajesh Kumar @ Raja

on 21.09.2019 and during investigation he suffered a disclosure statement that narcotic was supplied to him by the petitioner.

Learned counsel for the petitioner submits that main accused Rajesh Kumar @ Raja has already been allowed regular bail by the learned Addl. Sessions Judge, Jind.

The petitioner was arrested in this case on 14.10.2019 and allegations against her are based on the disclosure statement of main accused.

Keeping in view the fact that investigation is still in progress; presentation of challan and conclusion of trial will take considerable long time, the present petition is allowed. Petitioner-Santosh @ Toshi @ Chanderpati is ordered to be released on regular bail on her 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- b. In the event of her absence on any date of hearing, the benefit of bail allowed to the petitioner shall stand withdrawn.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 her bail bond and surety bond and proceed to procure her presence in accordance with law. In that eventuality the petitioner shall have to apply for bail afresh.
- c. She shall not leave the country without the prior permission of the Court.

(SURINDER GUPTA)
JUDGE

November 28, 2019
Jyoti-II