

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21908-2019 (O&M)

Date of Decision: 18.02.2020

Surjit Singh @ Lambar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Divjyot S. Sandhu, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in FIR No.14 dated 11.01.2018, under Section 22 Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sultanpur Lodhi, District Kapurthala. He apprehended his arrest at the hands of police in the above said FIR.

On 21.05.2019, the following order was passed by the Court:

“Prayer in this petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.14 dated 11.01.2018, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Police Station Sultanpur Lodhi, District Kapurthala. Learned counsel contends that the alleged recovery of 110 gms of intoxicant power is marginally above the quantity described as “commercial quantity”. The said contraband was packed in a polythene bag and if the weight of the polythene is deducted, the contraband may fall

under the “non-commercial” quantity.

Notice of motion for 27.09.2019.

In the meantime, the petitioner is directed to appear before the trial court within one week and shall be released on interim bail, to the satisfaction of the trial court.”

Learned counsel for the petitioner submits that in compliance of the order dated 21.05.2019, the petitioner submitted himself before the Court on 27.05.2019, who has been released on interim regular bail upon furnishing the requisite bail bonds and surety bonds.

On the other hand, learned State counsel on instructions from HC Subeg Singh does not dispute this fact that the petitioner submitted himself before the trial Court on 27.05.2019 and furnished the bail bonds and surety bonds.

Considering the above, the petition is allowed and the petitioner is allowed to remain on the same bail bonds and surety bonds furnished by him before the trial Court on 27.05.2019.

18.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No