THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-2992-2021(O&M)
Date of decision: 07.04.2021

Mangey Ram @ Prince

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

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

Mr. J.S. Ghuman, DAG, Punjab.

*****

H.S. MADAAN, J. (Oral)

This petition for regular bail has been filed by petitioner Mangey Ram @ Prince, an accused in FIR No.199 dated 10.12.2020, for offences under Sections 18, 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'the Act') (offence U/s 25 of the Act added later on), registered with Police Station City-1, Mansa.

Briefly stated the prosecution story is that on 10.12.2020, Mange Ram-present petitioner and Balkar Singh were intercepted by the police party and on being searched Mange Ram was found in possession of 100 gm of opium and Balkar Singh was found in possession of 90 gm of opium. They were arrested in this case. The recovered contraband was taken into possession by the police. On completion of investigation, the challan against them has been filed in the Court. As stated by the learned State counsel, the charge is yet to be framed in this case and 17 PWs have

SUMIT KUMAR
2021.04.07 15:57
I attest to the accuracy and
integrity of this document

been cited by the prosecution.

The petitioner had filed petition for regular bail before Judge, Special Court, Mansa but the same was dismissed vide order dated 12.01.2021, as such he has knocked at the door of this Court craving for grant of similar relief.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the petitioner has submitted that the recovery involved in this case is quite less i.e. 100 gms of opium only; though, the petitioner is involved in some criminal cases but none of those cases are under the Act; co-accused of the present petitioner namely Bittu Kumar has been granted pre-arrest bail by this Court, whereas, other similarly placed co-accused, namely Balkar Singh has been granted regular bail by this Court, vide order passed in CRM-M-2415-2021, decided on 25.03.2021; the petitioner is behind bars for more than 04 months; the conclusion of trial is likely to take some time, as such he be granted regular bail.

Though learned State counsel has opposed the request, but considering the facts and circumstances of the case, the quantity of contraband recovered, the period for which the petitioner is behind bars and the fact that the trial is at initial stage and its conclusion is likely to take some time, I find it proper and appropriate to accept the present petition and grant benefit of regular bail to the petitioner. Therefore, the present petition is allowed. The petitioner is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of

SUMIT KUMAR
2021.04.07 15:57
I attest to the accuracy and
integrity of this document

trial Court/CJM/Duty Magistrate, Mansa, subject to the following conditions:-

(i) he shall appear in the Court on each and every date of hearing;

(ii) he shall not give any threat or intimidation to the prosecution witnesses;

(iii) he shall not indulge in any criminal activity;

(iv) he shall not leave India without prior permission of the Court and shall surrender his passport, if he has got one, otherwise to furnish affidavit in that regard;

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

07.04.2021 **(H.S. MADAAN)**
sumit.k **JUDGE**

Whether speaking/reasoned : Yes No
Whether Reportable : Yes No

SUMIT KUMAR
2021.04.07 15:57
I attest to the accuracy and
integrity of this document