

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

215

Date of decision : 21.09.2023

1. CRM-M-27948-2022

Makhan Singh

..... Petitioner

versus

State of Punjab

..... Respondent

2. CRM-M-40957-2022 (O&M)

Sukhchain Singh @ Sukha

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. L.S. Sidhu, Advocate
for the petitioner in CRM-M-27948-2022.

Mr. Kuldip Singh, advocate
for the petitioner in CRM-M-40957-2022.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

1. Present petitions have been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioners in case bearing FIR No.31 dated 01.03.2022, registered for the offences punishable under Sections 21, 29, 61 and 85 of NDPS Act, and Sections 379 and 473 of IPC, 1860, at Police Station City Fazilka, District Fazilka.

2. As per the case of the prosecution, the petitioners were apprehended on the basis of secret information. During search, recovery of 260 gms. of heroin was effected from the conscious

possession of the petitioners.

3. Custody Certificates of the petitioners have been produced on behalf of the State today, which are taken on record. As per the same, both the petitioners have undergone actual custody of 01 year, 06 months and 19 days. No other case is pending against the petitioners.

4. Keeping in view the incarceration already suffered by the petitioners, the present petitions are allowed. Petitioners are ordered to be released on regular bail on their furnishing bail/surety bonds to the satisfaction of the Ld. Trial Court/Duty Magistrate, concerned. However, in addition to conditions that may be imposed by the Trial Court/Duty Magistrate concerned, the petitioners shall remain bound by the following conditions :-

- (i) The petitioners shall not mis-use the liberty granted.
- (ii) The petitioners shall not tamper with any evidence oral or documentary during the trial.
- (iii) The petitioners shall not absent themselves on any date before the trial.
- (iv) The petitioners shall not commit any offence similar to the one alleged in the present case.
- (v) The petitioners shall deposit their passport, if any with the trial Court.
- (vi) The petitioners shall give their cellphone number to the police authorities and shall not change their cell-phone number without permission of the trial Court.
- (vii) The petitioners shall not in any manner try to delay the trial.

5. In case of breach of any of the aforesaid conditions and those which may be imposed by the Trial Court, the prosecution shall be at liberty to move cancellation of bail of the petitioners.
6. Ordered accordingly.
7. Since the main case(s) has been decided, pending miscellaneous application, if any, shall also stands disposed off.
8. A photocopy of this order be placed on the file of other connected case.

(PANKAJ JAIN)
JUDGE

21.09.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No