

2023:PHHC:144005

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

222-1

CRM-M-29100-2022

Date of decision : 14.11.2023

Sunil Kumar @ Sheelu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Vikas Bishnoi, Advocate
for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

PANKAJ JAIN, J. (Oral)

1. Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.427 dated 26.11.2021, registered for the offence punishable under Section 21(c) of NDPS Act, 1985 at Police Station Sadar Fatehabad, District Fatehabad.

2. As per the case of the prosecution, the petitioner was found to be in conscious possession of 263 gms of heroin and was thus booked. The petitioner is now behind bars for 01 year, 11 months and 10 days.

3. Counsel for the petitioner submits that the challan already stands presented, yet charges have not been framed and no other case is pending against the petitioner.

4. Counsel for the State does not dispute the aforesaid factual assertions based on record.

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5. Keeping in view the allegations against the petitioner and the incarceration suffered by him, the present petition is allowed. Petitioner is ordered to be released on regular bail on his 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 petitioner shall remain bound by the following conditions :-

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

6. 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 petitioner.

7. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

14.11.2023

Dinesh

Whether speaking/reasoned :
Whether Reportable :

Yes
No