

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

210

**CRM-M-42455-2023
Date of decision : 01.09.2023**

Jaswinder Singh @ Bunty**..... Petitioner**

versus

State of Punjab**..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Manpreet Singh Sidhu, Advocate
for the petitioner.

Mr. Amit Shukla, AAG, Punjab.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.99 dated 18.06.2023, registered for offences punishable under Sections 15 and 25 of NDPS Act, 1985 at Police Station Sadarjagron, District Ludhiana.

2. Counsel for the petitioner submits that contraband alleged to have been recovered from the petitioner is less than commercial quantity and thus rigors of Section 37 of the NDPS Act, 1985 would not be attracted. Petitioner is behind bars since 18.06.2023. Challan already stands presented, thus, there cannot be any apprehension that the petitioner shall tamper with the evidence. Petitioner has clean antecedents. Apart therefrom, one FIR was registered against him earlier in which he earned acquittal.

3. The aforesaid assertions are not controverted by the counsel for the State.

4. In view of above facts and circumstances, 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 similar to the one alleged in the present case.
- (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.

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 petitioner.

6. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

01.09.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No