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

CRM-M-9606-2024 (O&M)

Date of decision : 04.12.2024

Gourav @ Gaurav @ Guri

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Manoj R. Sharma, Advocate,
for the petitioner(s).

Mr. TPS Walia, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail pending trial to the petitioner in FIR No.110 dated 19.06.2023, under Sections 21(b), 27(a) & 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Dinanagar, District Gurdaspur.

2. Allegations are that 15 grams of Heroin (non-commercial) along with drug money of Rs.1,15,700/- was recovered from the petitioner.

3. Learned counsel contends that petitioner was granted interim bail by this Court on 19.03.2024 (in CRM-10961-2024) and he is regularly appearing before learned Special Court. There is no



apprehension that petitioner is likely to influence the prosecution witnesses or hamper the trial, in any manner.

4. Learned State Counsel, on instructions, has fairly acknowledged the above factual position.

5. Heard learned counsel for both the sides and perused the paper book.

6. It is a matter of record that petitioner was granted interim bail by this Court on 19.03.2024 and in compliance thereof, he was released on interim bail. It is acknowledged by learned State counsel that petitioner is regularly appearing before learned Special Court; there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in case his interim bail is made absolute. In such scenario, sending the petitioner to custody at this stage would not serve any purpose.

7. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 19.03.2024, is made absolute. Petitioner shall be admitted to bail on furnishing bail/surety bonds to the satisfaction of learned Special Court/Chief Judicial Magistrate/Duty Magistrate concerned.

8. He shall appear on each & every date of hearing and to fully co-operate with the learned Special Court without seeking any unnecessary adjournment(s).

9. Above observations be not construed as an expression of opinion on merits of case, in any manner.

2024.PHHC.161858



10. It is clarified that in case there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.

Pending application(s), if any, shall also stand disposed off.

04.12.2024
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(MAHABIR SINGH SINDHU)
JUDGE

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