



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

239

CRM-M-25020-2024
Date of decision : 22.05.2024

Jaswinder Singh @ Harpreet Singh @ Happy Petitioner

versus

State of Punjab Respondent

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Ms. Stuti Sharda, Advocate
for the petitioner (through V.C.)

Mr. Mohit Kapoor, Sr. DAG, Punjab.

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.40 dated 02.07.2019, registered for the offences punishable under Sections 21 and 29 of NDPS Act, 1985 at Police Station Kaccha Pucca, District Tarn Taran.
2. Petitioner has been booked in the aforesaid FIR on the ground that he alongwith co-accused were apprehended and found to be in possession of 310 gms of heroin.
3. Custody certificate has been produced by learned State counsel. The same is taken on record. As per the same, by now the petitioner has undergone actual custody of more than 04 years, 10 months and 16 day and has no other prosecution under NDPS Act. Despite the fact that petitioner is behind bars for almost about 05 years,



disputed that the co-accused already stands admitted to bail.

4. Without further commenting on the merits of the case, granting the petitioner parity and keeping in view the incarceration suffered by the petitioner and has clean antecedents vis-a-vis offence punishable under NDPS Act, 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.

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

22.05.2024

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Whether speaking/reasoned : Yes

Whether Reportable : No