



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

CRM-M-27401-2024

Date of Decision: May 28, 2024

Baljinder Kumar @ Ballu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vikram Jeet Singh, Advocate for the petitioner.

DEEPAK GUPTA, J.(Oral)

Petitioner is aggrieved by the order dated 22.02.2024 passed by learned Judge, Special Court, Kupurthala, whereby stringent conditions have been imposed upon the petitioner for releasing him on bail, in case FIR No.265 dated 01.09.2020, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station City Phagwara, District Kapurthala.

2. Learned counsel for the petitioner points out that this Court vide order dated 18.01.2024 passed in CRM-M-1362-2024 (Annexure P-1) had allowed bail to the petitioner, on furnishing bail bonds/surety bonds to the satisfaction of learned Trial Court/Duty Magistrate concerned. Learned counsel contends that petitioner applied for bail before the Trial Court, which directed the petitioner to furnish bail bonds in the sum of ₹2 lacs each with two sureties of the like amount, besides cash surety of ₹5 lacs in the shape of FDR. Learned counsel contends further that the said conditions imposed by the Trial Court are quite stringent and it is not possible for the petitioner so as to satisfy these conditions. Learned counsel prays for imposing the reasonable conditions.

3. Notice of motion.

4. Mr. Vinay Kumar Malhotra, DAG, Punjab accepts notice on behalf of the respondent-State.

5. Once the bail has been granted to the accused, the conditions for release should be as reasonable as possible. The purpose of granting bail is to secure the presence of the accused/offender during trial. The conditions should not be stringent enough, which may tantamount to the denial of the benefit of bail.

6. Considering the aforesaid facts and circumstances, the impugned order passed by the Trial Court is hereby set aside. Petitioner is directed to be released on furnishing bail bonds in sum of ₹1 lac with the surety of the like amount to the satisfaction of the Trial Court concerned.

Allowed.

May 28, 2024

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No