

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-24347 of 2015

Date of decision:31.07.2015

Ranjit Singh alias Rana

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. K.S. Pannu, DAG, Punjab.

Navita Singh, J. (Oral)

This petition has been moved by Ranjit Singh alias Rana under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.36 dated 8.6.2013 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act at Police Station Sarai Amanat Khan, District Amritsar.

The petitioner was granted bail under Section 167(2) Cr.P.C in the present case, i.e. FIR No.36 dated 8.6.2013. Thereafter, he appeared before Special Judge, Tarn Taran but was not present on 24.7.2014 on which date his bail was cancelled and warrant of arrest was ordered to be issued.

Thereafter, the petitioner did not appear in the Court seeking bail or otherwise and ultimately, surrendered on 23.4.2015, i.e. after nine months.

There is no explanation in the petition as to why he neither surrendered for nine months nor was present, though he was aware that his case was fixed for 24.7.2014. It is submitted that on that date, the petitioner could not appear as he was suffering from Jaundice.

State Counsel submits that initially the bail was granted as charge-sheet was not filed in the Court within the stipulated period but now the petition should be decided on merits and the petitioner was found carrying 400 grams of intoxicant powder which was diphenoxylate.

However, on query, HC Salwinder Singh, Police Station Sarai, Amanot Khan, Amritsar has informed that the petitioner is neither a previous convict nor there is any other case whatsoever pending against him. It is, therefore, felt that for single absence, the petitioner has undergone sufficient punishment for the last three months.

In view of the above, the petition is allowed. Bail to the satisfaction of the trial Court.

31.07.2015
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(NAVITA SINGH)
JUDGE