

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

**Criminal Misc. No. M-33301 of 2015  
Date of decision: 17.11.2015**

Nirvail Singh alias Nehla

..Petitioner

Versus

State of Punjab

..Respondent

**CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

- 1. Whether reporters of local newspapers may be allowed to see judgment? Yes/No**
- 2. To be referred to reporters or not? Yes/No**
- 3. Whether the judgment should be reported in the Digest? Yes/No**

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

Mr. B.S. Sra, Addl. A.G., Punjab  
for the respondent – State.

**Daya Chaudhary, J. (Oral)**

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner-Nirvail Singh alias Nehla for grant of regular bail in case FIR No.83 dated 20.05.2014, under Sections 21/22 of the Narcotic Drugs and Psychotropic Substances Act registered at Police Station 'C' Division, District Amritsar City.

Learned counsel for the petitioner submits that the petitioner was arrested on 20.05.2014 and was released on interim bail by learned Additional Sessions Judge, Amritsar vide order dated 16.07.2014 as report of the Chemical Examiner was not received. The petitioner was regularly appearing before the trial Court but he could

not appear on 01.05.2015. His bail bonds were cancelled by the trial Court. Thereafter, non-bailable warrants were issued against him. Learned counsel also submits that only two prosecution witnesses have been examined and the trial may take long time to conclude. The petitioner is in custody for approximately nine months and no purpose would be served by keeping him in custody any further.

Learned State counsel has not disputed the factum of grant of interim bail to the petitioner and the custody period.

In view of the submissions made by learned counsel for the petitioner and also the fact that the petitioner has remained in custody for approximately nine months; earlier he was granted interim bail by the trial Court but subsequently, he did not appear on one date and his bail bonds were cancelled, the present petition is allowed and the petitioner (Nirvail Singh alias Nehla) is directed to be released on regular bail subject to furnishing bail/surety bonds to the satisfaction of the trial Court.

17.11.2015  
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**(DAYA CHAUDHARY)**  
**JUDGE**