

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

CRM-M-34467-2015

Date of decision: 13.10.2015

Tinku

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. N.K. Vadehra, Advocate for the petitioner.

Mr. K.D. Sachdeva, Addl. AG, Punjab.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.184 dated 30.05.2013 under Sections 21, 22, 61, 85 of NDPS Act, 1985, registered at Police Station Civil Lines Batala, District Gurdaspur.

Learned counsel for the petitioner submits that earlier the petitioner was granted the bail. He has been regularly appearing before the learned trial Court but because of bonafide reasons, he absented on one date of hearing. Thereafter, petitioner himself surrendered and he is inside the jail for the last more than one and half year. He further submits that since the prosecution evidence is still going on, conclusion of trial will take some time. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Balbir Singh, Police Station Civil Lines Batala, submits that since the petitioner has misused the concession of bail granted to him earlier, he is not entitled for bail, at this stage. He prays for dismissal of the present petition.

After hearing learned counsel for the parties and careful perusal of the record of the case, this Court is of the considered opinion that keeping in view the peculiar fact situation obtaining in the present case, petitioner has been found entitled for bail pending trial.

It is a matter of record that petitioner was earlier granted the concession of bail. He has been regularly appearing before the learned trial Court. However, he absented once and thereafter himself surrendered. Petitioner has already undergone for a period of about two years. Trial is likely to take some more time, because the prosecution evidence is still going on.

In view of the above and without commenting anything further on merits at this stage, instant petition is allowed. Petitioner is directed to be released on bail pending trial on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

[RAMESHWAR SINGH MALIK]
JUDGE

13.10.2015
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