

CRM-M-29167 of 2016 (O&M)
DECIDED ON: AUGUST 26, 2016

.....PETITIONER

VERSUS

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Satnam Singh Gill, Advocate
for the petitioner.

Mr. P.S. Paul, DAG, Punjab.

JASPAL SINGH, J (ORAL)

CRM No. 25767 OF 2016

Application is allowed, as prayed for.

CRM No. M-29167 of 2016

By virtue of this petition preferred under Section 439 Cr.P.C., petitioner has sought regular bail in case FIR No. 5 dated 06.01.2012 under Section 21 of NDPS Act, registered at Police Station Tripuri, District Patiala.

Undisputably, petitioner was granted the concession of regular bail in the instant case by learned trial Court but during the pendency of said appeal, petitioner absented from the Court on March 06, 2014. As a result whereof, his bail was cancelled and bail bonds were forfeited to the State and he was ordered to be summoned throughailable warrants of arrest. Subsequent thereto, petitioner was declared proclaimed offender on April 25, 2014. However, he surrendered *suo-mottu* on September 07, 2015 and since then he is suffering incarceration.

Learned State counsel, on instructions from ASI Parminder Singh has pointed out that the co-accused of the petitioner has already been convicted and sentenced. Whereas, the file was consigned under Section 299 Cr.P.C. qua petitioner. However, supplementary challan has already been presented and the learned trial Court is seized of the matter. The disposal of challan would take considerable time.

Taking into consideration the afore-said facts and circumstances but without expressing any opinion on the merits of the case, instant petition is allowed and petitioner is ordered to be released on bail at the satisfaction of learned trial Court/Duty Magistrate.

AUGUST 26, 2016
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(JASPAL SINGH)
JUDGE

Whether	Speaking/Reasoned	Yes/No
Whether	Reportable	Yes/No