

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

CRM-M No.1876 of 2017

Date of decision: 27th January, 2017

Jaswant Singh @ Jassa

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Prateek Pandit, Advocate for the petitioner.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Jaswant Singh alias Jassa in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.95 dated 28.12.2013 registered at Police Station Rawalpindi, District Kapurthala under Section 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 are that on 28.12.2013 he was found in illegal possession of 110 grams of intoxicating powder, a non-commercial quantity.

Contentions of the learned counsel for the petitioner are that during the course of trial before the trial Court he absented on 18.10.2016 and subsequently surrendered on 06.12.2016 after one date of hearing and has been in detention since then.

The factual scenario could not be displaced by learned State counsel on instructions from ASI Hans Raj.

Keeping in view that there is a single date default and that the petitioner has already undergone incarceration prior to the trial and subsequent upon his absence and putting in appearance before the trial Court and the fact that the trial is not likely to conclude in the near future, this Court is of the opinion that further detention of the petitioner in the present case is unwarranted. Accordingly, he is ordered to be released on regular bail to the satisfaction of the trial Court.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

January 27, 2017

rps

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No