

Sr. No.218

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No. M-284 of 2017 (O&M)

Date of Decision:16.01.2017

Sandeep Singh @ Petha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. P.S.Sekhon, Advocate,
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of the present petition filed under Section 439 Cr.P.C. seeking benefit of regular bail pending trial in case FIR No.86 dated 19.08.2012, under Sections 18/61/85 of NDPS Act, registered at Police Station Sardulgarh, District Mansa.

Counsel for the parties have been heard.

As per prosecution version, the alleged recovery effected from the petitioner was of 500 grams of opium. Petitioner had been granted bail and had joined trial proceedings. However, on 20.02.2016 he had absented from the trial proceedings. Concededly, petitioner has surrendered on 01.11.2016 and is in custody since then.

Undoubtedly, the present petitioner has misused the concession of bail.

Be that as it may, he has now faced incarceration since 01.11.2016. Even otherwise, the alleged recovery effected from him is non-

commercial.

Under such circumstances and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate.

Disposed of.

16.01.2017

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

No
No