

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

201

**CRM-M No. 29637 of 2017
Date of Decision: 21.8.2017**

KHUSHKARAN SINGH @ KADD

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Achin Gupta, Advocate
for the petitioner.
Mr. Charanpreet Singh, AAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

CRM-M No. 46281 of 2016 filed by the petitioner was dismissed by this Court on 13.1.2017. Petitioner is accused of offence under Sections 21/22/29/61/85 of the NDPS Act and offence under Section 379/411 IPC in case bearing FIR No.235 dated 27.6.2014, registered at Police Station Civil Lines, Amritsar City.

Petitioner along with his co-accused was overpowered by the police and 400 grams of intoxicated powder was allegedly recovered from his car. The interim bail was granted to the petitioner on 15.10.2014.

Learned counsel for the petitioner submits that after the release of the petitioner on interim bail, he was arrested in some other case i.e. FIR No. 177 dated 27.9.2015 under Sections 382/379 IPC registered at Police Station Kotkapura District Faridkot and he was not produced by the jail authorities in the Court on 30.9.2015. As a result of that, interim bail granted to the petitioner was cancelled. While dismissing the earlier petition i.e. CRM-M No. 46281 of 2016, liberty was granted to the petitioner to avail any other remedy in accordance with law.

Learned counsel for the petitioner contends that despite the FIR having been registered in the year 2014, till date challan has not been presented by the police. Petitioner has already been acquitted in FIR No. 177 dated 27.9.2015 under Sections 382/379 IPC registered at Police Station Kotkapura District Faridkot, vide judgment of acquittal dated 19.12.2016. Till date petitioner has already undergone one year, four months and sixteen days.

Learned State counsel, on instructions from ASI Gurjinder Singh, has stated that the challan is ready with the police and the same is going to be filed very shortly.

In view of aforesaid attending circumstances, I deem it appropriate to enlarge the petitioner on regular bail.

Accordingly, this petition is allowed. Petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the Judge Special Court, Amritsar.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

August 21, 2017.

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**(RAJ MOHAN SINGH)
JUDGE**

Whether speaking/reasoned Yes/No

Whether reportable Yes/No