

CRM-M-33574-2017

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

**CRM-M-33574-2017
Date of Decision:15.09.2017**

Harjinder Singh @ Ludha

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sukhmeet Singh, Advocate,
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Harjinder Singh @ Ludha has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.17 dated 02.02.2015, registered at Police Station Nihal Singh Wala, District Moga, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that earlier, the petitioner was on interim bail, but subsequently on his failure to join the proceedings, vide order dated 04.11.2015, interim order was vacated and his previous bail

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application was rejected. When the petitioner-accused failed to appear before the trial Court, proclamation proceedings were initiated and ultimately, he was declared proclaimed offender.

At the time of arguments, it has been brought to the notice of this Court that challan was presented on 01.12.2015 whereas interim order regarding bail etc. was vacated before presentation of challan.

The petitioner has been in custody since 25.03.2017. Now the challan has already been presented and the petitioner is not required for any investigation or interrogation purposes, rather he has only to face the trial, which will take a long time. Therefore, no useful purpose will be served by keeping the petitioner in custody till the final disposal of the case.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, this criminal miscellaneous petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal bonds in the sum of ₹50,000/- with two sureties in the like amount each to the satisfaction of the trial Court/Duty Magistrate.

15.09.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No