

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

CRM-M No.35524 of 2017
Date of decision: 27th September, 2017

Avtar Singh @ Tari

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

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

Mr. H.S. Grewal, Addl. Advocate General, Punjab
for the respondent/State.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Avtar Singh alias Tari in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.36 dated 04.02.2001 registered at Police Station Nakodar, District Jalandhar under Sections 61/1/14 of the Excise Act, are that on 04.02.2001 from conscious possession of the petitioner 200 kgs of Lahan was recovered leading to his arrest.

Contentions of the learned counsel for the petitioner are that the petitioner is behind bars since more than 4 months and 21 days, which is conceded to at the bar by learned State counsel who though has not disputed the factual scenario but has sought to oppose grant of bail on the grounds that earlier the petitioner had ran away from the Court and

which is controverted by learned counsel for the petitioner on the grounds that he has since then surrendered before the Court.

Keeping in view the period of detention and the fact that culpability if any shall be determined at the time of trial which is not likely to conclude in 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 Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

The petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

September 27, 2017
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No