

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

Crl. Misc. No.M-46616 of 2016
Date of Decision: March 29, 2017

Amandeep Kumar @ Deepu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. L.S. Sidhu, Advocate
for the petitioner.

Mr. K.S. Pannu, DAG, Punjab

Amol Rattan Singh, J. (ORAL)

By this petition filed under Section 439 Cr.P.C., the petitioner seeks the concession of 'regular bail'.

Learned counsel for the petitioner submits that though the petitioner was earlier admitted to bail by the learned trial Court itself, however, upon the report of the chemical examiner having been received, to the effect that the contraband stated to have been seized from him was of commercial quantity, he was taken in custody on 01.09.2016. He further submits that no prosecution witness has been examined till date.

Learned State counsel, on instructions from ASI Lakhwinder Singh, P.S. Dharamkot, does not deny the aforesaid factual position and upon further query, he submits that there are 11 prosecution witnesses still to be examined, all of whom are police officials.

Keeping in view the above and the fact that the petitioner has never misused the concession of bail granted to him earlier, and despite 6

months having gone by, not even a single prosecution witness has turned up to get himself examined, I see no purpose in keeping the petitioner in custody.

Consequently, without commenting upon the merits of the case, this petition is allowed. The petitioner would be enlarged on bail, upon his furnishing adequate bail and surety bonds to the satisfaction of the trial Court.

March 29, 2017
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(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: no