

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-9038 of 2017 (O&M)

Date of Decision: 22.03.2017

Amandeep Singh @ Amma

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. Kamalpreet Bawa, Advocate for the petitioner.

Ms. Harpreet K. Athwal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.66 dated 7.6.2014 under sections 22, 61, 85 of N.D.P.S Act , registered at Police Station, Badhni Kalan, District Moga.

Learned counsel for the parties have been heard.

Even as per prosecution version the alleged recovery of contraband effected from the petitioner is non-commercial.

Petitioner had been granted bail but had absented from trial proceedings. He was, accordingly, declared a Proclaimed Offender by the learned Special Judge, Moga in the light of order dated 28.3.2016.

Petitioner was arrested on 10.8.2016.

Learned State counsel would vehemently oppose the present petition by submitting that no indulgence is to be shown to a Proclaimed Offender and that the petitioner is involved in three other FIRs.

However, in the totality of circumstances, this Court is inclined to accept the prayer made in the petition.

Even though, petitioner was declared a Proclaimed Offender, yet, he has faced incarceration since 10.8.2016. The alleged recovery from the petitioner is non-commercial in nature. It has also gone uncontroverted that in the other three FIRs in which the petitioner is involved, he is already on bail.

Without making any observations on merits, present petition is allowed. Petitioner be enlarged on bail subject to satisfaction of Trial Court/Duty Magistrate, Moga.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

22.03.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No