

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

CRM -M-9510 of 2017 (O&M)

Date of decision: 15.05.2017

Amarjeet @ Amar

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Dr. G.S. Brar, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 162 dated 22.06.2016, registered under Sections 186, 323, 332, 353, 504 read with Section 34 of IPC and Section 21, 21-B, 21-C and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station Sadar Dabwali, District Sirsa.

It is contended that the petitioner was not arrested from the spot. The petitioner without there being any service upon him was declared as a proclaimed offender. The petitioner is not involved in any FIR under NDPS Act. He further states that though the petitioner has involved in another FIR, however, he stands acquitted. The petitioner is in custody since 04.01.2017.

On the other hand, learned State counsel opposes the bail

application and states that the petitioner was carrying 42 bottles of corex and when the police tried to chase him, he grappled with the police, ran away from the spot after throwing away the bag carried by him.

I have heard learned counsel for the parties and perused the record.

Considering the fact that the petitioner was not arrested from the spot and he is not involved in any other similar FIR; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of CJM/Duty Magistrate/trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

15.05.2017
sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No