

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25012-2017

Date of decision: 07.08.2018

Arjan Singh @ Kaka

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.301 dated 20.11.2014 under Sections 22/61/85 of NDPS Act, registered at Police Station Sultanwind, District Amritsar.

Learned counsel for the petitioner submits that the petitioner was arrested in the year 2014 and thereafter, he was granted interim bail awaiting the report of FSL and for a period of about 01 year and 10 months, he remained on interim bail and has not misused the concession of bail. It is further submitted that the petitioner is in judicial custody since 19.12.2016 and out of 11 prosecution witnesses, only 04 PWs have been examined so far.

Learned State counsel, on the basis of custody certificate, has not disputed the aforesaid factual position.

A perusal of the custody certificate shows that the petitioner is not

involved in any other case. A perusal of the last few orders also shows that the case is fixed for prosecution evidence since September, 2017 and till date, evidence has not been concluded.

Without commenting anything further on merits of the case, considering the fact that the petitioner remained on interim bail and has not misused the concession of bail; he is not involved in any other case; trial is moving at the very slow pace and also in view of the fact that he is in judicial custody for about 01 year and 08 months, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

07.08.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No