

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

**CRM-M-26325-2018
Date of decision: 04.07.2018**

Kamaljit Singh @ Kamal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Atul Jain, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 127 dated 08.08.2014, registered under Section 21 of the Narcotic Drugs & Psychotropic Substances Act at Police Station Kotwali Kapurthala, District Kapurthala.

Learned counsel for the petitioner submits that the petitioner is facing trial since 2014 and was granted regular bail. He further submits that there is recovery of 08 Grams of Heroin which is slightly more than the small quantity. It is further submitted that the petitioner could not appear before the trial Court as he was suffering from Hepatitis-C and later on he was declared a proclaimed offender. Learned counsel for the petitioner further submits that the petitioner has surrendered before the trial Court on 30.05.2018 and as on today, he has undergone 04 months and 16 days of judicial custody and the conclusion of the trial is likely to take some time.

Learned counsel for the petitioner also submits that the petitioner has

already undergone 06 months and 13 days in another FIR No. 75 which also pertains to the year 2014. Thereafter, till date, the petitioner is not involved in any other case.

Learned State counsel filed custody certificate which is taken on record. He has not disputed the factual position as submitted by learned counsel for the petitioner.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner was on regular bail; after absenting from the Court proceedings, he has surrendered before the trial Court and the trial of the case is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate concerned. However, this will be subject to payment of cost of Rs. 10,000/- in the Government Treasury. The payment of cost shall be a pre-condition for accepting the bail/surety bonds of the petitioner.

July 04, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No