

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

217

CRM-M-27191-2018

Date of Decision:24.08.2018

Amarjit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

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

Mr. Tanvir Joshi, A.A.G., Punjab.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.61 dated 11.06.2016 under Sections 22/61/85 of the NDPS Act, registered at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioner states that the alleged recovery is 50 gms. of Heroine, which is non-commercial. He is in custody since 09.04.2018. He could not appear before the trial court on 18.11.2017 as he noted down the wrong date as 19.09.2017 and due to this reason, his bail bonds and surety bonds were cancelled and forfeited to the State. He was summoned through non-bailable warrants and was declared proclaimed offender. However, thereafter, the petitioner was arrested on 09.04.2018 and since then he is in custody. Petitioner undertakes to appear on each and

every date unless he is granted exemption.

Learned State Counsel has filed the custody certificate of the petitioner. As per custody certificate, total custody of the petitioner comes to around six months. Though there is another case against him under the NDPS Act, but he is on bail in that case.

Having heard learned counsel for the parties and considering the fact that the petitioner is in custody since 09.04.2018, coupled with the fact that as against 08 witnesses cited by the prosecution, only 04 witnesses have been examined, trial in the case may take long time and the recovery being 50 gms. of Heroine being non-commercial quantity, I deem it appropriate to release him on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

It is made clear that the petitioner shall continue to appear before the trial court and shall not delay the proceedings in any manner.

August 24, 2018
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No