

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32488-2017

Date of decision: 03.04.2018

Jaspal Singh @ Kala

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Kushaldeep Sandhu, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.3 dated 05.01.2016 under Sections 21/22/61/85 of NDPS Act, registered at Police Station Meharban, District Ludhiana.

Learned counsel for the petitioner submits that the petitioner was granted interim bail awaiting the report of FSL and he remained on bail from 03.03.2016 to 29.07.2017. Thereafter, he surrendered back and is facing the trial. Counsel for the petitioner further submits that the evidence is still going on and it will take some time in conclusion of the trial. It is further submitted that the petitioner is not involved in any other case and he has not misused the concession of interim bail. It is also submitted that the petitioner has already undergone more than 10 months of judicial custody.

Learned State counsel has filed the custody certificate dated

29.11.2017 and as per this custody certificate, the petitioner is not involved in any other case and by calculating the total custody, he has undergone more than 10 months as on today. Learned State counsel, on instructions from ASI Pritpal Singh, submits that the prosecution evidence is going on before the trial Court and some witnesses are yet to be examined.

Without commenting anything on merits of the case, considering the fact that the petitioner is not involved in any other case; he has undergone more than 10 months of judicial custody; he has not misused the concession of interim bail and also in view of the fact that conclusion of the trial will take some time, present petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

03.04.2018
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No