

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

CRM-M-41467-2018 (O&M)

Date of decision : 6.12.2018

Jinder @ Daljinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Subhash Kumar, Advocate for the petitioner.

Mr. Karanbir Singh, AAG, Punjab.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

This is a petition filed under Section 439 of the Code of Criminal Procedure for grant of regular bail in case FIR No. 102 dated 9.10.2014 (Annexure P-1) under Section 22 of the Narcotic Drugs Psychotropic Substances Act, 1985 along with Section 25 of the Arms Act, 1959, registered at Police Station Lambran, District Jalandhar Rural.

Heard.

Reply by way of affidavit of Digvijay Kapil, Deputy Superintendent of Police, Sub Division, Kartarpur, Jalandhar on behalf of respondent filed in Court today is taken on record.

In this case, one country made pistol of 7.65 bore along with live cartridge of same bore and 20 grams heroin were recovered from the possession of the petitioner. On 26.8.2015, challan was presented against the petitioner. However, during the trial, he became proclaimed offender on 15.4.2017.

Petitioner was arrested on 17.3.2018 and supplementary challan was presented against the petitioner on 7.6.2018 and now the case is pending for trial.

Learned State counsel has opposed the application on the ground that though recovery of 20 gram heroin is non-commercial, petitioner had earlier jumped bail and he is likely to misuse the concession of bail.

State has given the details of 10 other cases registered against the petitioner under various Sections of Indian penal Code and Arms Act. List provided by the State shows that petitioner was acquitted in two cases mentioned at serial numbers (iii) and (vi). However, he was declared proclaimed offender in two other cases, mentioned at serial number (iv) and (vii).

Since the petitioner is already declared proclaimed offender in two other cases and is yet to be arrested, let the police take necessary steps for arrest of the petitioner in the said cases also. For the said purpose custody of the petitioner is required in this case.

Dismissed for present.

(KULDIP SINGH)
JUDGE

6.12.2018
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Whether speaking / reasoned
Whether Reportable:

Yes
No