

S.No.207

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

CRM-M-42265 of 2018 (O&M)

Date of Decision:28.09.2018

Kewal Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Ranjit Sharma, Advocate
for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.145 dated 08.10.2015 registered under Section 21 of the NDPS Act, 1985 at Police Station Gharinda, District Amrtisar.

Counsel for the petitioner contends that in this very case, earlier the petitioner was granted bail by the trial Court. However, on one date, the petitioner could not appear before the Court due to unavoidable circumstances. Therefore, his bail was cancelled. Thereafter, the petitioner was arrested and now he is in custody. It is further contended that the Police have already recommended for discharge of the petitioner in this case. Accordingly, the co-accused of the petitioner has even been discharged by the Police.

Learned State Counsel being instructed by ASI Maninder Singh, does not dispute the fact that the petitioner was earlier released on bail and after re-arrest, he is in custody.

In view of the above, but without commenting upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

September 28, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No