

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.213

CRM-M-44203-2018

Date of decision : 12.10.2018

Sandeep Singh @ Sandy

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Deepak Aggarwal, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.36 dated 16.02.2016, registered at Police Station Nathana, District Bathinda, under Sections 21 and 25 of NDPS Act, 1985.

Learned counsel for the petitioner submits that he was on regular bail in this case, however, the same was cancelled as he did not appear before the trial Court on one particular date. Thereafter, the High Court permitted him to surrender before the trial Court and the trial Court was directed to grant regular bail. Meanwhile, before the date on which he was to surrender before the trial Court, he was named in another FIR under Section 304 IPC and was arrested. Thus, he could not surrender before the trial Court. Now, the petitioner has got bail in FIR under Section 304 IPC and is seeking the same concession in the present FIR as well. The alleged recovery made from him is only of seven grams of heroin. There is no other case under NDPS Act, 1985 pending against him. The trial is not likely to be concluded at an early date, thus, he may be released on regular bail.

Custody certificate dated 12.10.2018, by way of an affidavit of Sh. Sukhwinder Singh, PPS, Superintendent, Central Jail, Bathinda, has been filed by the learned State counsel in Court today and the same is taken

on record. This certificate corroborates the submission of learned counsel for the petitioner that there is no case under NDPS Act, 1985 pending against the petitioner.

Keeping in view the aforementioned facts and circumstances of this case, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Sandeep Singh @ Sandy, is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

(SUDHIR MITTAL)
JUDGE

12.10.2018
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No