

S.No.214

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

CRM-M-48357 of 2018 (O&M)

Date of Decision:13.11.2018

Nirmal Singh alias Nimma

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. P.S. Sekhon, 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.88 dated 17.08.2017 registered under Section 22 of NDPS Act, 1985 at Police Station Mehna, District Moga.

Counsel for the petitioner contends that in this very case, the petitioner was earlier extended concession of bail. However, due to unavoidable circumstances, the petitioner could not appear before the Court on the date fixed. Therefore, the petitioner was declared Proclaimed Offender. Subsequently, he was arrested and thereafter, the petitioner is in custody since 07.08.2018. It is further contended by the counsel that the petitioner has no intention to flee from course of justice. There is no other case against the petitioner. He is not required for any investigation purposes.

On the other hand, counsel for the State, being instructed by ASI Jaswinder Singh, submits that since the petitioner had absented from

the Court while on bail earlier, therefore, the petitioner does not deserve concession of bail.

Be that as it may, however, keeping in view the submissions made by counsel for the petitioner, but without commenting any further upon merits of the case, the present petition is allowed. It is ordered that the petitioner be released on bail on his furnishing bail bonds/ sureties to the satisfaction of the trial Court/ Duty Magistrate.

November 13, 2018
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(RAJBIR SEHRAWAT)
JUDGE

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