

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

**CRM-M-53694-2018
Date of decision: 10.12.2018**

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Sidakmeet Sandhu, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 91 dated 07.08.2012, registered under Section 22 of the Narcotic Drugs & Psychotropic Substances Act at Police Station Chohla Sahib, District Tarn Taran.

Learned counsel for the petitioner submits that the recovery from the petitioner is of non-commercial quantity and he was granted regular bail on 08.01.2013. It is further submitted that petitioner was appearing before the trial Court and he absented on 13.09.2013 and was declared a proclaimed offender on 03.02.2016.

Learned counsel for the petitioner further submits that petitioner was re-arrested on 08.05.2018 and he is in custody since then.

Learned counsel for the petitioner further submits that petitioner is not involved in any other FIR under the NDPS Act and only an FIR No. 67 dated 08.05.2018, under Section 174-A IPC was registered

against him on account the fact that he was declared a proclaimed offender.

Learned State counsel has filed the custody certificate and has not disputed the factual position, however, submitted that in case the petitioner is released on bail, he may again abscond from Court proceedings.

I have heard learned counsel for the parties.

Without commenting anything on the merits of the case, considering the fact that petitioner was earlier on bail and was declared a proclaimed offender when he jumped the bail and after his re-arrest, he is in custody since 08.05.2018, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

However, this will be subject to deposit of ₹15,000/- by the petitioner in Govt. Treasury under a head to be nominated by the trial Court.

December 10, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No