

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.212

CRM-M-1717-2019 (O&M)

Date of decision : 27.3.2019

Beeja

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Rishu Mahajan, Advocate, for the petitioner.

Mr. K.S. Sidhu, DAG, Punjab

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.340 dated 20.9.2017, registered at Police Station Phillaur, District Jalandhar, under Section 22 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody for more than a year and a half. The trial is not likely to be concluded at an early date as only 04 PWs have been examined out of total 13 PWs. There was another case under the NDPS Act, 1985, registered against the petitioner, but he has been acquitted therein. Thus, he may be granted regular bail.

Custody certificate dated 26.3.2019, prepared by Sh. Kulwant Singh Sidhu, PPS, Deputy Superintendent, Central Jail, Kapurthala, has been filed by the learned State counsel in Court and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of 01 year, 06 months and 05 days. There is one conviction recorded in a case under the NDPS Act, 1985.

Learned counsel for the petitioner has passed on a copy of judgment dated 4.9.2018, according to which, the conviction of the

petitioner was only under Section 411 IPC and he was released on probation.
No conviction was recorded for the offence under the NDPS Act, 1985.

Thus, keeping in view the custody period of the petitioner as well as the fact that the trial is not likely to be concluded at an early date, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner-Beeja, 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

27.3.2019
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No