

Crl. Misc. No. M-4027 of 2019

Date of Decision: February 08, 2019

Baljit Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. B.S. Bali, Advocate
for the petitioner

Mr. Luvinder Sofat, AAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 116 dated 27.06.2018 under Sections 15, 29 of the NDPS Act, 1985, registered at Police Station City SBS Nagar, District SBS Nagar.

Learned counsel for the petitioner submits that the petitioner was arrested on 27.06.2018 but was granted interim bail by this Court vide order dated 21.11.2018, as report of the FSL had not been received. Now, report of the FSL was received on 05.12.2018, on which date the petitioner surrendered before the trial Court and sought regular bail but the same was declined. The petitioner has been in custody for more than six months now. There is no criminal case pending against the petitioner. The trial will not be concluded at an early date as out of total of 16 PWs only one has been examined till date. There is no allegation of misuse of interim bail and, thus, regular bail may be granted to him.

Custody certificate dated 08.02.2019 prepared by Sh. Iqbal Singh Dhaliwal, PPS, Deputy Superintendent, Central Prison, Ludhiana, has been filed in the Court today and the same is taken on record. According to this certificate, the petitioner has undergone actual custody of seven months. There is no other criminal case pending/decided against the petitioner.

Learned State counsel does not dispute the factual submissions made on behalf of the petitioner.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

February 08, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No