

CRM-M-15716 of 2016
Date of Decision: 18.12.2019

Boota Singh @ Buta SinghPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Ashok Saini, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in FIR No. 93 dated 29.06.2014 under Sections 21, 29, 61 and 85 of NDPS Act read with Sections 25, 54 and 59 of Arms Act, registered at Police Station Goindwal Sahib, District Tarn Taran.

Vide order dated 15.09.2016 passed by this Court, the petitioner was granted interim bail.

Status report by way of affidavit dated 17.12.2019 of Senior Superintendent of Police, District Tarn Taran on behalf of respondent-State has been filed today in the Court, which is taken on record and it reveals that after grant of interim bail, three FIRs under NDPS Act have been registered against the petitioner.

Learned State counsel states that since the bail granted to an accused is always conditional, in case of breach thereof, the accused is not entitled to the concession of bail.

If a fresh FIR has been registered against the petitioner during the period he was on bail, this factor can not be taken into consideration at this stage and can only be considered at the time of consideration of the bail application of the petitioner in the subsequent FIR.

In view of the above, without commenting anything on the merits, lest it should prejudice the case of either side, the order dated 15.09.2016 passed by this Court is made absolute qua petitioner-Boota Singh @ Buta Singh.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

18.12.2019
Maninder

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No