

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

265

CRM-M-13347-2019 (O&M)

Date of Decision : 23.5.2019

Sarabjit Mahala @ Sonu

...Petitioner

vs.

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. L.S.Sekhon, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Senior DAG, Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C for grant of regular bail to the petitioner in case FIR No.149 dated 15.9.2012 registered under Sections 420, 467, 468, 471, 473, 474, 382, 379, 356, 411,427, 186 IPC and Section 22 of NDPS Act, 1985 at police station Sadar Khanna (Police District Khanna).

Status report dated 21.5.2019 by way of affidavit of Shamsheer Singh, Deputy Superintendent of Police (Head Quarter), Khanna, Police District Khanna, District Ludhiana has also been filed, the same is taken on record. Copy has been supplied to the opposite counsel.

Learned Senior DAG on instructions from SI Sukhdev Kaur states that the petitioner had jumped the bail and was ultimately arrested in another case.

Counsel for the petitioner states that co-accused who faced the

trial were acquitted under the various sections of the IPC but were convicted under the Sections of NDPS Act and no recovery was made from the petitioner under the NDPS Act and he is now in custody for more than six months.

Learned Sr. DAG has accepted these factual assertions.

Custody certificate dated 23.5.2019 by way of affidavit of Ramandeep Singh Bhangu, PPS, Deputy Superintendent, New District Jail Nabha has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. The custody certificate also certifies the fact that the petitioner has been in custody for 6 months and 4 days.

Without commenting on the merits of the case, keeping in view the above facts and the period of incarceration already suffered by the petitioner, I deem it appropriate to grant regular bail to the petitioner. Ordered accordingly, Bail to the satisfaction of the concerned Trial Court/Duty Magistrate. Trial Court would be justified in seeking heavy surety from the petitioner.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

23.5.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No