

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32727-2018

Date of decision: 22.04.2019

Jobanjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.82 dated 18.12.2017 under Sections 21, 29 of NDPS Act and Sections 411, 414 IPC, registered at Police Station Sarai Amanat Khan, District Tarn Taran.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.12.2017; challan stands presented; charges have been framed and out of 21 PWs, none has been examined so far. It is further submitted that in fact, the petitioner is on bail in all other cases and has relied upon the orders (Annexures P-3 to P-7), vide which he has been granted bail in five FIRs, which has been referred to by the trial Judge, while dismissing his application. Learned counsel further submits that even in case/FIR pertaining to Section 394 IPC regarding a bank robbery, the petitioner has been granted bail, though in the present FIR, it is stated that some amount was recovered by conducting the

search of his room. It is also submitted that the petitioner was not arrested at the spot, when the alleged recovery was effected and brother and mother of the petitioner namely Manjot Singh and Jaswant Kaur were also nominated as accused and they were found innocent during the investigation.

Learned State counsel, on instructions from ASI Paramjit Singh, has however opposed the prayer for bail on the ground that the petitioner is involved in number of cases, though could not dispute that he is on bail in all these cases and out of 21 prosecution witnesses, none has been examined so far.

Without commenting anything on merits of the case, considering the long custody of the petitioner and also stage of the trial, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bond to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

22.04.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No