

Khushi Ram

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. Satnam Singh Gill, Advocate
for the petitioner

Mr. Amandeep S. Gill, Sr. DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 19 dated 09.02.2018 under Section 15 of NDPS Act, 1985 registered at Police Station City Samana, District Patiala.

Learned counsel for the petitioner submits that the petitioner was not arrested at the spot. He has been nominated as an accused on the statement of the co-accused and the said co-accused has been granted regular bail. The petitioner has been in custody for over 1 year and 6 months and the trial is not likely to be concluded at an early date as only 3 PWs have been examined out of a total of 14 PWs.

Custody certificate dated 10.12.2019 prepared by Sh. Lal Singh, PPS, Deputy Superintendent, Central Prison, Patiala, has been filed in the Court today and the same is taken on record. According to the certificate, the petitioner has undergone actual custody of 1 year, 9 months and 6 days. There are two convictions under the NDPS Act, 1985 recorded against the petitioner and he has completed the sentence therein as the sentence was for the period already undergone. Two acquittals have also been recorded in cases under the NDPS Act, 1985 against him.

Learned counsel for the petitioner submits that the petitioner has reformed himself and he would not indulge in any illegal activity in case he is granted regular bail.

In view of the custody period of the petitioner as well as the fact that the trial is not likely to be concluded at an early date and that the co-accused has been granted regular bail, I deem it appropriate to grant regular bail to the petitioner as well.

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/Duty Magistrate concerned. It is clarified that in case another FIR is registered against the petitioner while he is on bail, the concession would be liable to be withdrawn.

December 10, 2019

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No