

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22378-2019 (O&M)
Date of decision: 27.09.2019

Madan Lal @ Vicky

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

This is 2nd petition for grant of regular bail in FIR No.112 dated 25.05.2017 under Section 22 of NDPS Act, registered at Police Station Raman, District Bathinda, earlier one was dismissed as withdrawn on 20.09.2018.

Learned counsel for the petitioner submits that the new ground for filing of this second petition is that the petitioner has now undergone more than two years of judicial custody and out of total 16 prosecution witnesses, only 03 have been examined till date. It is further submitted that the petitioner is involved in one more case, however, in that case, his sentence has been suspended by this Court. Learned counsel further submits that the petitioner was not apprehended at the spot and was later on arrested and the recovery of 7400 tablets Alprazolam 0.5 was effected from the motorcycle, which was left behind by the petitioner and co-accused Salamudin.

Learned State counsel, on the basis of custody certificate dated 24.05.2019 and on instructions from ASI Makhan Singh, has not disputed the fact that the petitioner is in custody for the last more than two years and only three PWs have been examined so far.

Without commenting anything on merits of the case, considering the aforesaid submissions made by learned counsel for the parties, 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

27.09.2019
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No