

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

CRM-M-40407-2019
Date of decision: 27.09.2019

Gurminder Singh @ Lalli

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. V. P. Singh, Advocate
for the petitioner.

Mr. Jagmohan Ghuman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

This is the second petition that has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 18 dated 29.12.2014, registered under Sections 21, 25, 29, 61 of the NDPS Act, 1985 at Police Station SSOC, District Amritsar.

Learned counsel for the petitioner submits that the grounds for filing the present petition are that the petitioner is in judicial custody for the last more than 05 years.

Learned counsel for the petitioner further submits that co-accused of the petitioner, namely Avtar Singh, Jagjit Singh @ Jaggi and Raman Kumar, have already been granted concession of regular bail by this Court in the present FIR No. 18, vide orders dated 31.03.2016, 17.02.2016, 06.11.2015 passed in CRM-M Nos. 3977 and 2205 of 2016 and 8149 of 2015, respectively.

Learned counsel for the petitioner further submits that the petitioner is in judicial custody for the last more than 05 years and the

during the intervening period, he has been granted concession of bail in other FIRs, vide orders 12.11.2014, 09.05.2016 and 09.09.2017 passed in CRM-M Nos. 29928 of 2014 and 7327 of 2016 and CRA-S-3231-SB-2016, respectively.

Learned counsel for the petitioner further submits that the present FIR pertains to the year 2014 and till date, the trial Court has not concluded the trial and it is still at the stage of recording the statement of prosecution witnesses.

Learned State counsel, on instructions from ASI Balwinder Singh and on the basis of the custody certificate filed today in Court, has not disputed the factual position and submitted that only one prosecution witness is left to be examined. Learned State counsel could not dispute the fact that co-accused of the petitioner have already been granted concession regular bail as noticed above.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that the petitioner is in judicial custody for the last more than 05 years; co-accused have already been granted concession of regular bail by this Court as noticed above and also in view of the fact that conclusion of the trial is likely to take some time, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail bonds and two sureties to the satisfaction of the trial Court/Duty Magistrate concerned.

27.09.2019

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

*Whether speaking/reasoned
Whether reportable*

*Yes/No
Yes/No*