

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.201

CRM-M-4497-2020 (O&M)

Date of decision : 10.6.2020

Harninder Singh @ Baba

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Anurag Chopra, Advocate, for the petitioner.

Ms. Monica Jalota, DAG, Punjab.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks regular bail in case FIR No.26 dated 23.3.2015, registered at Police Station Sarai Amanat Khan, District Amritsar City, under Sections 21 and 29 of the NDPS Act, 1985.

According to the FIR, contraband was allegedly recovered from the open fields belonging to the petitioner. The petitioner was nominated as an accused as the field from which the contraband was recovered was owned by him.

Learned counsel for the petitioner submits that the first petition for grant of regular bail was rejected vide order dated 6.12.2019 on ground that the petitioner had absconded from the law having been declared proclaimed offender before he surrendered. Now, six more months have elapsed and thus, the circumstances have changed materially and there is no other case under the NDPS Act, 1985 pending against the petitioner. Similarly situated co-accused have already been granted regular bail.

Learned State counsel, on instructions from ASI-Manpreet Singh, admits the fact that there is no other case under the NDPS Act, 1985 pending against the petitioner.

In consideration of the fact that six months have elapsed since the bail application of the petitioner was rejected and that similarly situated co-accused have been granted regular bail coupled with the fact that there is no other case under the NDPS Act, 1985 pending against the petitioner, I deem it appropriate to allow this petition. Accordingly, the petition is allowed and petitioner is ordered to be released on bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(SUDHIR MITTAL)
JUDGE

10.6.2020
Ramandeep Singh

Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No