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

**CRM-M No.5060 of 2020
Date of Decision: 10.02.2020**

**Manpreet Singh @ Monu @ Patwari
.....Petitioner
Vs**

**State of Punjab
.....Respondent**

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Amandeep Singh, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.46 dated 06.04.2016 registered under Sections 22, 61, 85 of the NDPS Act at Police Station Dugri, District Ludhiana.

The alleged recovery is of 9 grams of heroin. Petitioner was granted bail. He absented from the Court on 21.10.2016 and was declared proclaimed offender on 12.04.2018.

Learned counsel for the petitioner submits that FIR No.28 dated 25.07.2015 under the NDPS Act was registered

against the petitioner and his interim bail was rejected after receipt of FSL report. He was taken in custody and thereafter, he was acquitted in the said case only on 16.11.2019.

Though there is no direct material available on record, whether the absence of petitioner on 21.10.2016 was on account of his arrest in FIR No.28 dated 25.07.2015, but if the dates are co-related, the same would give rise to some semblance of date of arrest of the petitioner to the date of his absence.

The recovery is of non-commercial quantity and the petitioner is in custody since 28.06.2018.

Learned State counsel on instructions from ASI Surjeet Singh states that the petitioner was declared as proclaimed offender and he may flee from justice in case, the bail is granted to him. Petitioner has antecedent behaviour of criminal activities. He was involved in FIR No.28 dated 25.07.2015 and FIR No.25 dated 26.05.2018 under the NDPS Act. In third FIR, the petitioner has been discharged.

In view of aforesaid facts, without meaning anything on merits of the case, the petitioner is directed to be released on regular bail subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court.

Nothing expressed hereinabove would be construed to be an expression of any opinion on merits of the case.

10.02.2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No