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

**CRM-M No.8847 of 2020
Date of Decision: 04.03.2020**

GURPREET SINGH ALIAS LOVELY
.....Petitioner

Vs
STATE OF PUNJAB
.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rajiv Joshi, Advocate
for the petitioner.

Mr. J.S. Ghumman, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.138 dated 07.07.2017, registered under Section 21 of the NDPS Act at Police Station Division No.1, Jalandhar.

Learned counsel for the petitioner submitted that the petitioner was granted regular bail and he was regularly attending the trial of the case, but he was nominated as an accused in FIR No.50 dated 29.03.2017 registered under Sections 420/465/467/468/471/474 IPC at Police Station Maqsudan, Jalandhar. On account of apprehension of arrest,

the petitioner could not appear before the trial Court, resulting in cancellation of his bail and forfeiture of his bail bonds and surety bonds. Petitioner was ultimately declared as proclaimed offender vide order dated 25.02.2019.

Learned counsel further submitted that after dismissal of his anticipatory bail in the aforesaid case, the petitioner surrendered before the Police. An independent FIR under Section 174-A IPC was also registered against the petitioner. The recovery is of non-commercial quantity of contraband and now the petitioner is in custody since 07.04.2019.

Learned State counsel on instructions from ASI Hira Singh submitted that after filing of challan, charges have been framed. Out of 12 prosecution witnesses, 1 prosecution witness has been examined. Recovery is of 100 grams of heroin. Trial of the case may take some time in its culmination.

Keeping in view the status of the petitioner viz-a-viz. the case in question, more particularly his custody since 07.04.2019, at this stage, without adverting to the merits of the case, I am of the view that the petitioner can be enlarged on bail.

In view of above, petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing heavy

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.

March 04, 2020

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No