

207

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

**CRM-M No.13514 of 2020(O&M)
Date of Decision: 04.11.2020**

Rajwinder Singh @ Raju

.....Petitioner

Vs

State of Punjab

.....Respondent

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

Present: Mr. Jasjeet S. Dhaliwal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.47 dated 29.05.2015 registered under Section 22 of the NDPS Act at Police Station Verowal, District Tarn Taran.

As per prosecution case, 80 grams of intoxicant powder was allegedly recovered from the petitioner which was found to be Dyphenoxylate Hydrochloride. Petitioner was arrested on 29.05.2015 and was granted concession of regular bail vide

order dated 29.06.2015. Thereafter, the petitioner kept on appearing regularly before the trial Court, but absented himself on 13.08.2019, which also resulted in declaring the petitioner to be proclaimed offender vide order dated 21.01.2020. Charges were framed on 08.07.2018, but no independent FIR under Section 174-A IPC was registered. Petitioner was arrested on 13.04.2020 and since then, he is in custody.

On the other hand, learned State counsel submits that the petitioner was granted regular bail, but he misused the concession of bail by absenting himself on 13.08.2019 and has delayed the trial.

I have considered the arguments of learned counsel for the parties.

As per custody certificate, petitioner is not involved in any other case. The absence of the petitioner on 13.08.2019 is claimed to be on account of serious ailment of his mother. Petitioner undertakes to appear on each and every date before the trial Court and is ready to satisfy the heavy conditions if so imposed while granting regular bail to the petitioner.

Looking to the aforesaid facts and in view of the situation arising out due to COVID-19 pandemic and without adverting to the merits of the case, I deem it appropriate to

enlarge the petitioner on regular bail.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing heavy bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

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

04.11.2020	(RAJ MOHAN SINGH)
<i>Prince</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No