

Crl. Misc. No. M-17690 of 2020
Date of Decision: August 26, 2020

Sukhdev Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Prateek Pandit, Advocate
for the petitioner

Mr. Ramdeep Pratap Singh, DAG Punjab

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 164 dated 18.06.2017 registered under Section 22 of the NDPS Act, 1985 at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner submits that the petitioner has been in custody in excess of nine months. There is no other criminal case pending against him. The trial is not likely to be concluded at an early date as even charges have not yet been framed. Thus, the petitioner may be granted regular bail.

Custody certificate dated 25.08.2020 has been submitted in the Court. The same is taken on record. According to this custody certificate, the petitioner has undergone actual custody of 9 months and 16 days and there is no other case under the NDPS Act pending against him.

Learned State counsel concedes that charges have not yet been framed. He, however, opposes the prayer for grant of bail on the ground that the petitioner had absconded from the law for a period of approximately one year and

two months.

From the above, it is evident that the petitioner has been in custody in excess of 9 months and the trial is not likely to be concluded at an early date. Thus, I deem it appropriate to grant regular bail to the petitioner subject to heavy surety in view of the fact that he absconded from the law for almost one year and two months.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned. The surety amount shall be determined by the trial Court keeping in view the past conduct of the petitioner.

August 26, 2020

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No