

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

CRM-M-21412 of 2020.

Decided on:- September 07, 2020.

Charanjit Singh.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.

Present:- Mr. Divjyot S. Sandhu, Advocate
for the petitioner.

Ms. Monika Jalota, D.A.G., Punjab.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

The petitioner has filed present petition Section 439 Cr.P.C. seeking regular bail in FIR No.85 dated 30.05.2015 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, the NDPS Act) registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner has submitted that for allegedly found in possession of 35 grams powder containing *alprazolam* in the year 2015 for which the aforementioned FIR was registered against the petitioner, the petitioner was granted bail on 16.06.2015. However, he was absented on 29.10.2019 during the trial and was arrested in the case on 04.06.2020. Since then, the petitioner is in custody. There is no other case against the petitioner under the NDPS Act. The only other case registered

against the petitioner is FIR No.152 dated 20.05.2020 under Section 61 of the Punjab Excise Act, 1914 at Police Station Sultanpur Lodhi, District Kapurthala for alleged recovery of 22 bottles of liquor, wherein the petitioner is on bail.

Learned State counsel has filed the custody certificate, which is taken on record. On instructions from ASI Balbir Singh, she does not dispute the custody and the fact that in the other FIR registered under the Excise Act, the petitioner is on bail.

I have heard learned counsel for the parties.

Though earlier, the petitioner was on bail in the present case, but he absented himself on 29.10.2019 followed by his arrest on 04.06.2020 and since then, he is in custody. The trial is not likely to be concluded in near future. There is no other case against the petitioner under the NDPS Act. Therefore, the petitioner is admitted on bail during the pending trial.

Accordingly, the present petition is allowed and the petitioner is ordered to be released on bail on his furnishing adequate bail and surety bonds to the satisfaction of learned trial Court/Duty Magistrate.

The observations made hereinabove shall not be construed as an expression of opinion on the merits of the case and the trial Court shall decide the case without being influenced with these observations in any manner.

September 07, 2020
Yag Dutt

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No