

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

**CRM-M No.21123 of 2019 (O&M)
Date of Decision:- 17.01.2020**

Sunil Kumar @ Sonu

...Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr. Himanshu Puri, 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.55 dated 27.06.2015, registered under Section 22 of NDPS Act, 1985 at Police Station Kabirpur, District Kapurthala.

It is not in dispute that the petitioner was granted regular bail on account of alleged recovery of 50 gms of intoxicating powder salt which was ultimately found to be Diphenoxylate Hydrochloride. Thereafter, petitioner was absented from the Court and was declared as proclaimed

offender.

The petitioner is in custody since 04.08.2018 and has undergone about 1 year and 5 months of custody.

Learned State Counsel on instructions from SI Ranjit Singh states that the prosecution has examined only 3 witnesses out of total 9 prosecution witnesses and case is fixed for 21.01.2020. It may take some time in its culmination.

In the light of the total period in custody, it would be just and appropriate to release the petitioner on regular bail.

In view of above, the present petition is allowed and the petitioner is ordered to be enlarged on bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of Trial Court/Duty Magistrate, Kapurthala.

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

17.01.2020

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**(Raj Mohan Singh)
Judge**

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No