

CRM-M-32559 of 2020

Date of Decision: 16.11.2020

Devender Kumar @ Kala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present : Mr. S.S. Sahu, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, the petition is seeking the concession of regular bail in case FIR No.15, dated 09.02.2012 under Sections 18 and 25 of NDPS Act, 1985 registered at P.S. Zira, District Ferozepur.

This is the second petition filed by the petitioner, the first one having been dismissed on November 27, 2019, with the following order passed (in CRM-M-27577 of 2019) :-

“Three witnesses out of six already having been examined, with the petitioner having been declared to be a Proclaimed Offender at an earlier stage, I see no ground to entertain this petition.

Consequently, it is dismissed.

However, the trial Court is directed that if police officials are not appearing as witnesses, it would summon the SSP concerned, to ensure that all police officials who are being summoned to testify as prosecution witnesses duly appear and testify as and when summoned.

A copy of this order be given to learned State counsel under the signatures of the Bench Secretary of this Court.”

Learned counsel for the petitioner submits that despite the aforesaid order, the trial still has not concluded and therefore the petitioner now having been in custody for more than three years and six months, he deserves the concession of bail.

Learned State counsel on the other hand submits that the petitioner having been declared to be a Proclaimed Offender in the year 2013 and thereafter having been arrested on 29.12.2017, with three other criminal cases registered against him, he does not deserve the concession of bail, especially when the prosecution evidence has concluded with the trial likely to be concluded on the next date of hearing, i.e. on 14.12.2020.

That being so, I see no ground to grant the concession of bail. Consequently, the petition is dismissed.

(AMOL RATTAN SINGH)
JUDGE

November 16, 2020
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No