

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

**CRM-M-35649-2020 (O&M)
Date of decision: 06.11.2020**

Tarandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Subhash Kumar, Advocate,
for the petitioner.

Mr. V.G. Jauhar, Sr. DAG, Punjab.

Ritu Bahri, J.

This petition under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.126 dated 16.06.2014, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered at Police Station, Sadar Jalandhar, District Jalandhar.

The bail application of present petitioner has been dismissed vide order dated 08.07.2020 passed by the Additional Sessions Judge, Jalandhar, on the ground that after recovery of 20 grams of intoxicant powder containing Diphenoxylate Hydrochloride was effected, he was released on regular bail as it was a 'non commercial' quantity. However, he absented himself from the proceedings on 10.10.2016 and thereafter, was declared as proclaimed offender on 23.01.2017. In that order, it was observed that after

there was no medical record to show that he lost his mental balance to make out a case for release on regular bail.

Learned State counsel, on instructions from ASI Harpal Singh, informs that no other case under the NDPS Act is pending against the petitioner. The petitioner is in custody for the last 10 months.

Learned counsel for the petitioner further informs that after framing of charges, no witness has been examined so far.

Heard.

Keeping in view that no other case, under the NDPS Act, is pending against the petitioner; period of incarceration of the petitioner and the fact that trial will take some time for its conclusion, this Court feels that no purpose will be served by detaining the petitioner any longer. Accordingly, this petition is allowed and the petitioner is ordered to be released on regular bail on his furnishing of bail/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Jalandhar.

06.11.2020
ajp

(RITU BAHRI)
JUDGE

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