

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M- 43931 of 2019 (O&M)

Date of decision : 29.1.2020

...

Baljinder Singh @ Ghuggi

.....Petitioner

vs.

State of Punjab

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner

Rana Harjasdeep Singh, Deputy Advocate General, Punjab.

...

H. S. Madaan, J. (Oral)

This application for regular bail has been filed by petitioner – Baljinder Singh @ Ghuggi, an accused in FIR No. 181 dated 7.8.2018, for offences under Sections 22 of NDPS Act, 1985 registered at Police Station Division Civil Lines, Bathinda, who had absented from the Court during trial on 8.1.2019. He was arrested on 6.4.2019 and is behind the bars since then. The recovery of contraband from him amounts to non-commercial quantity.

It is stated that petitioner is a poor person, working as a helper/driver and he had gone out of station in that connection, since he could not return within time to appear in the Court, his bail bonds and surety bonds were cancelled and forfeited to the State and he

was ordered to be summoned through non-bailable warrants of arrest.

Keeping in view the fact that the petitioner was on bail during the trial and he is behind bars for more than about 10 months; the trial is stated to be at initial stage, in my view he can be granted the concession of bail, subject to suitable terms and conditions, to ensure that he appears in the Court regularly and does not abscond.

Therefore, the petition is accepted. Petitioner- Baljinder Singh @ Ghuggi is ordered to be released on bail on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate, Bathinda. The court accepting bonds would require the petitioner to furnish two sound local sureties having immovable property within the jurisdiction of the trial Court. The documentary proof of those properties be obtained and got attached with the bonds. The trial Court would also initiate proceedings under Section 446 Cr.P.C. against the petitioner and his earlier surety.

29.1.2020
chugh

(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes/ No
Yes/ No