

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

DECIDED ON: 1st September, 2021

(1) CRM-M-13252 of 2021

Kamal Kumar Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

(2) CRM-M-30335 of 2021

Kamal Kumar Singh

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Prateek Pandit, Advocate and
Mr. Sandeep Arora, Advocate for petitioner.

Ms. Monika Jalota, DAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

Due to COVID-19 situation, the Court is convened through video conference.

These two petitions under Section 439 Cr.P.C. are filed seeking regular bail in case of FIR No.11 dated 31.1.2005, under Section 22 of NDPS Act, 1985, read with Section 188 of IPC, 1860, registered at Police Station Dhilwan, District Kapurthala.

One petition is dated 18.3.2021 and other is of 19.7.2021. There is similar prayer in both the petitions. It would be appropriate to mention at this stage that both petitions were filed through different counsels. During the course of hearing it is revealed that none of the counsels was instructed with regard to filing of the other petition.

The brief facts are that FIR was registered as there was recovery of Narcotic Substance from petitioner. The FIR was registered in 2005, petitioner was granted bail in 2006. The petitioner jumped the bail and was declared proclaimed offender on 25.4.2019.

A vague reason is given for non-appearance that petitioner was under depression and lost his senses. There is no supporting medical evidence annexed. The petitioner surrendered in January 2021 and now these petitions are for grant of regular bail.

The petitioner was able to delay the trial by almost twelve years. Reason for his absence is not substantiated by evidence. The filing of two petitions through separate counsel not disclosing the fact of other petition being filed is an indicator of the conduct of the petitioner.

Considering the facts and circumstances of the case in totality, no case is made out for grant of regular bail as there is apprehension of his absconding.

Dismissed.

The FIR is of 2005. It is expected that the trial Court with the co-operation of the parties will try to decide the trial in an expeditious manner.

Photocopy of this order be placed on the file of another connected case.

1st September, 2021

reema

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>