

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

CRM-M-18593-2021 (O&M)

Date of Decision:11.05.2021

Surinder Pal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. S.S. Cheema, AAG, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This is the 4th bail petition preferred by the petitioner under Section 439 Cr.P.C. seeking regular bail pending trial in case FIR No.397, dated 25.12.2008, under Sections 21/23/28/29 of the NDPS Act, registered at Police Station City Phagwara, District Kapurthala.

Counsel for the parties have been heard.

As per counsel, an alleged recovery effected in this case was 25 kgs of heroin from co-accused, namely, Harpal Singh. As per prosecution version, the petitioner had run away from the spot.

Undoubtedly, petitioner had been declared a proclaimed offender and the trial Court proceeded against the co-accused and who has since been convicted.

Be that as it may, petitioner was thereafter arrested on 06.09.2014 and his custody period as of date is in excess of six years.

The previous petition preferred by the petitioner seeking regular bail i.e. CRM-M-54935-2019 had been disposed of vide order dated 27.11.2020 with the observations that even though prayer for bail had been declined in view of the heavy and commercial quantity recovered but a direction had been issued to the trial Court to expedite the trial itself and to conclude the same within a period of four months.

During the course of arguments, it has gone uncontroverted that the trial after passing of the order dated 27.11.2020 by this Court has not made any progress.

In view of the above, without making any observations on merits and coupled with the custody period already undergone by the petitioner of more than six years, prayer is allowed.

Petitioner be enlarged on bail subject to his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate, concerned.

Disposed of.

11.05.2021

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |