

In virtual Court

CRM-M-16613-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16613-2020 (O&M)
Date of decision: 25.01.2021

Sonu Masih

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. B.S. Bhalla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of regular bail in FIR No.369 dated 13.08.2016 under Sections 22/61/85 of NDPS Act and Sections 379, 411 IPC, registered at Police Station Civil Lines, District Amritsar.

Learned counsel for the petitioner submits that as per allegations in the FIR, recovery of 260 grams of intoxicant powder was effected from the petitioner. It is further submitted that the petitioner was granted the concession of interim bail awaiting FSL report and later on, he could not appear before the Court on 18.03.2019 and on 25.07.2019, he was declared as proclaimed offender, however, in the intervening period, the petitioner was arrested in another FIR No.23 dated 09.04.2019. It is also submitted that since the petitioner was in custody in FIR No.23, he could not appear in the present FIR.

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Learned counsel for the petitioner further submits that as on today, the petitioner is in custody for the last about 01 year and 06 months and though the charges have been framed in December, 2019, however, till date, no prosecution witness has been examined.

Learned State counsel, on the basis of custody certificate, has submitted that the petitioner is involved in two more FIRs; one under the Arms Act and another under Prison Act, apart from aforesaid FIR No.23 under NDPS Act.

Without commenting anything on merits of the case, considering the fact that the petitioner was initially granted the concession of bail, but he could not appear before the trial Court due to involvement in another FIR No.23, this petition is allowed and the petitioner is directed to be released on regular bail subject to furnishing his bail/surety bonds to the satisfaction of the trial Court/Illaq Magistrate/Duty Magistrate, concerned.

Petition is disposed of.

[ARVIND SINGH SANGWAN]
JUDGE

25.01.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No