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

**CRM-M No.22654 of 2021(O&M)
Date of Decision: 29.06.2021**

Mangal Singh @ Manga

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. A.S. Manaise, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl., A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of regular bail under Section 439 Cr.P.C in case bearing FIR No.36 dated 26.03.2013 registered under Sections 21 and 22 of the NDPS Act at Police Station Shri Hargobindpur, Police District Batala, District Gurdaspur.

As per prosecution case, 5 grams of heroin was recovered from plastic pouch from the left pocket of the shirt of the petitioner. Bail was granted to the petitioner, but the petitioner absented from the Court on 20.11.2015. He was

arrested on 10.03.2021. In the meanwhile, the petitioner was declared as proclaimed person on 01.03.2016.

Learned counsel for the petitioner submits that the petitioner did not appear before the Court due to unavoidable circumstances. Even otherwise, the maximum sentence that can be imposed in the aforesaid offence is 6 months and petitioner is in custody for the last more than 3 months. Petitioner intends to join the stream.

Learned State counsel, however, opposed the bail on the ground that the petitioner absented from the Court on 20.11.2015 and remained out of reach for more than 5 years. Petitioner was arrested on 10.03.2021 and was declared as proclaimed person on 01.03.2016.

Keeping in view the nature of offence and maximum sentence prescribed in the offence, I deem it appropriate to enlarge the petitioner on regular bail without advertting to the merits of the case.

In view of above, petition is allowed. Petitioner is ordered to be released on regular bail, subject to his furnishing adequate bail bonds/surety bonds to the satisfaction of the trial Court/concerned Duty Magistrate.

Nothing expressed hereinabove would be construed to

be an expression of any opinion on merits of the case.

29.06.2021

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No