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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4072-2022 (O&M)
Date of Decision:04.02.2022

Jaspal Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anant Bir Singh Sidhu, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.200 dated 04.05.2007 registered under Sections 21/61/85 NDPS Act at Police Station Sadar Patiala, District Patiala. The petitioner is in custody since his arrest on 30.09.2021.

Learned counsel contends that as per prosecution, five grams of smack was recovered at the time of arrest of the petitioner alongwith his co-accused, namely Amritpal Singh and Sukhwinder Singh, and they were released on regular bail. During the pendency of the trial, the petitioner had left India, who was declared proclaimed offender vide order dated 01.11.2010, whereas the trial in respect of his co-accused ended in their acquittal. He submits that the petitioner has been re-arrested on 30.09.2021 and prays for bail.

Learned State counsel does not dispute the above factual aspect.

Considering the above background, the nature and quantity of

the contraband as well as the fact that the other co-accused have already been acquitted, the further detention of the petitioner behind the bars may not be necessary for any useful purpose, who is presently confined in judicial custody after his arrest on 30.09.2021.

Resultantly, without meaning any expression of opinion on the merits of the case, it is ordered that the petitioner be released on regular bail in the above case, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

The petition is allowed.

04.02.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No