

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-3878-2020
Date of Decision: 03.08.2022

Tony @ Bheem

....Petitioner(s)

Versus

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Himani, Advocate for
Mr. Chandan Singh Rana, Advocate, for the petitioner.

Mr. Davinder Bir Singh, DAG, Punjab.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Section 439 of the Code of Criminal Procedure for the grant of regular bail to the petitioner in FIR No. 218 dated 12.06.2015, under Sections 22, 61, 85 of NDPS Act and Section 61/1/14 of Excise Act, registered at Police Station Focal Point, Ludhiana, Punjab.

The learned counsel for the petitioner has submitted that the petitioner is in custody for 3 years, 7 months and 21 days and considering the long custody of the petitioner, he may be considered for the grant of regular bail.

On the other hand, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab has stated it is a case where the petitioner was earlier granted bail by the learned trial Court and he jumped the bail and thereafter, he was declared as a P.O and later on he was arrested on

16.03.2019. He further submitted that there is a likelihood that in case the petitioner is released on bail, then he may again abscond. He further submitted even otherwise also out of 15 witnesses 14 have already been examined and therefore, the trial is at the fag end. He further submitted that there had been a recovery of 1400 intoxicant tablets containing Dextropropoxyphene and paracetamol and 156 bottles of country made liquor and therefore, the petitioner does not deserve the concession of regular bail.

I have heard the learned counsel for the parties.

Although the petitioner is stated to be in custody for more than 3 years but as per the learned counsel for the State in the year 2015 he was declared as a P.O and thereafter, he was arrested by the police. It has also been stated by learned State counsel that the trial is at the fag end since out of 15 witnesses 14 have already been examined.

In view of the aforesaid facts and circumstances, this Court is of the view that the petitioner does not deserve the concession of regular bail.

Consequently, the present petition is hereby dismissed.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is meant for the purpose of deciding the present petition only.

03.08.2022

rakesh

(JASGURPREET SINGH PURI)

JUDGE

Whether speaking : Yes/No

Whether reportable : Yes/No