

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

229

CRM-M-6788-2022 (O&M)

Date of decision: 09.03.2022

Bikram Raja @ Vicky

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Ms. Rahish Pahwa, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

This petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No. 203 dated 09.11.2017, registered under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Doraha, Ludhiana, District Ludhiana.

Learned counsel for the petitioner submits that after the arrest of the petitioner in this case, he was granted the concession of interim bail on 19.12.2017 and was facing the trial, however, he absented from the court proceedings and was declared a proclaimed offender on 21.12.2018. The petitioner was again arrested on 14.06.2021 and as on today, he is judicial custody for the last 10 months and 13 days.

Learned counsel for the petitioner further submits that the petitioner is a first offender and it will be a matter of trial whether the alleged recovery of 200 injections was effected from the petitioner by following a proper procedure in accordance with law.

Learned State counsel, on the basis of the custody certificate filed today in Court, could not dispute the fact that petitioner is not involved in any other case and he is in judicial for the last 10 months and 13 days after his arrest on 14.06.2021.

I have heard learned counsel for the parties.

Without commenting upon the merits of the case, considering the fact that though the petitioner has absented from the court proceedings, however, after his arrest on 14.06.2021, he is in judicial custody for the last 10 months and 13 days and he is not involved in any other case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of the trial Court/Duty Magistrate/Illaqa Magistrate, concerned and on deposit of costs of Rs. 5,000/- with the District Legal Services Authority, Ludhiana for delaying the trial.

09.03.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No