

CRM-M-23197-2021

Date of Decision: 10.01.2022

Major Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amit Arora, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, D.A.G., Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 65, dated 03.06.2014, registered at Police Station Harike, District Tarn Taran, for the alleged commission of an offence punishable under the provisions of Section 22 of the NDPS Act, 1985.

Though the petitioner is stated to have been in custody for 02 years and 03 months with only 02 prosecution witnesses out of 08 having been examined so far, however, looking at the fact that he is stated to have been declared to be a proclaimed offender earlier in the year 2016, after which he was arrested in the year 2019, I would find no ground to entertain this petition, which is consequently, dismissed.

However, the trial court is directed to ensure that in the circumstances of the pandemic, if evidence is being taken by video

conferencing, short dates be given so that the trial can be concluded at the earliest.

Naturally, if prosecution witnesses do not turn up to testify, either physically or by video conferences (if that is being resorted to by the trial court), that court would ensure that such witnesses are served through the SSP concerned and if they still do not appear, proper action shall be taken against them, with even warrants to be issued in the name of the SSP, if necessary.

January 10, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.