

CRM-M-35747 of 2022

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

CRM-M-35747 of 2022
Date of Decision: 21.09.2022

Sunil Mehta

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: - Mr. Sandeep Arora, Advocate, for the petitioner.
Mr. G.S. Sandhu, Deputy Advocate General, Punjab.

ASHOK KUMAR VERMA, J. (ORAL)

Through this petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in case FIR No.64 dated 17.03.2013 registered under section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Navi Baradari, District Jalandhar.

As per the case of the prosecution, on 17.03.2013 at about 4:30 p.m. in the area of Sant Nagar Railway Crossing, Jalandhar, petitioner was found in conscious possession of 250 grams of intoxicant powder containing salt Dextropropoxyphene.

Learned counsel for the petitioner submits that in this case petitioner was on regular bail. However, he absented from the Court proceedings on 25.05.2015 and was declared proclaimed offender by the Special Judge, Jalandhar, on 09.10.2015. Petitioner was arrested on 30.12.2021 and since then he is in judicial custody. Conclusion of trial

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may take a long time. Therefore, petitioner may be granted the relief of regular bail.

Per contra, learned State counsel opposed the petition for grant of regular bail to the petitioner.

I have heard learned counsel for the petitioner as well as the learned State counsel and perused the paperbook.

Perusal of file shows that petitioner was declared proclaimed offender on 09.10.2015 and was arrested on 30.12.2021 after a lapse of more than six years. Petitioner is an habitual offender as there are three more FIRs registered against him. The Court is required to see as to whether there are any reasonable grounds to believe that the accused has not committed the offence and whether he is likely to commit any offence while on bail. This Court is satisfied that these conditions are not satisfied.

Keeping in view the totality of the facts and circumstances, the huge quantity of prohibited substance recovered from the petitioner, as well as the fact that the trial is progressing and petitioner remained proclaimed offender for more than six years, this Court does not deem it fit to grant regular bail to the petitioner.

Petition is dismissed.

September 21, 2022
R.S.

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No