

CRM-M-50242-2021 (O&amp;M)

Date of Decision: 10.02.2022.

(Heard through VC)

HARKAMALJIT SINGH @ HARBHINDER SINGH @ RUPA

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sourav Bhatia, Advocate  
for the petitioner.

Mr. A. S. Gill, Sr. DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant second petition has been filed under Section 439 of Cr.P.C., for grant of regular bail to the petitioner in case FIR No.49 dated 02.06.2012 under Section 21 of NDPS Act, 1985, registered at Police Station Garhshankar, District Hoshiarpur.

Learned counsel for the petitioner would contend that he has been nominated as an accused with the allegations that he was in possession of 100 grams of heroin which was non-commercial. It is submitted that the petitioner has been earlier granted concession of regular bail by this Court vide order dated 15.05.2015 in CRM-M-11938-2015. However, on account of non-appearance his bail bonds were cancelled and he was re-arrested on 01.03.2021. It is contended that he has already had undergone a

period of 11 months in custody, whereas, the co-accused who faced the trail has been convicted with the sentence of five years. Counsel prays for grant of regular bail and submits that he will furnish his bail bonds to the satisfaction of the trial court and will also furnish an undertaking to the effect that in case he missed any date before the trial court, he will not raise any objection in case, his bail bonds stand cancelled.

Per contra, learned State counsel opposes the grant of regular bail to the petitioner by contending that , after getting the concession of bail, has remained absent and has unnecessarily delayed the trial and he does not deserves the concession of bail.

After hearing learned Counsel for the petitioner, the State counsel and without commenting on merits of the case, the instant petition is allowed and the petitioner be admitted to bail on furnishing bail bonds to the satisfaction of the trial court and his undertaking to the effect that he will be remained present on each and every date before the trial Court.

Allowed in the above terms.

10.02.2022  
*Riya*

(JAISHREE THAKUR)  
JUDGE

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |