

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

101

CRM-M-1442-2023
DATE OF DECISION: 12.01.2023

HARDEEP SINGH @ MOHNI

... Petitioner (s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Naamparkash S. Sandhu, Advocate
for the petitioner.

Mr. Arun William, AAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking interim regular bail for a period of 7 days in FIR No.0086 dated 06.09.2017, registered under Sections 21, 22 of the Narcotic Drugs and Psychotropic Substance Act, 1985 (later on Section 411 IPC added) at Police Station Mehtiana, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is seeking interim bail to enable him to celebrate the festival of 'Lohri' with his wife and 5 year old son. He further submits that the petitioner has been in custody for about 3 years. He has been convicted in cases under the NDPS Act involving non-commercial quantity of narcotics and he has undergone the sentence of imprisonment. He has also been convicted for commercial quantity and his sentence has been suspended but he could not come out of the jail on account of his arrest in the instant case. He was also on interim bail in another case and did not misuse the concession of bail/interim bail in any of these cases where the concession of bail had been granted to him.

The petitioner is in custody for over 6 months in the instant case.

Learned State counsel has filed custody certificate which indicates that the petitioner is in custody for 6 months and 27 days in the instant case. Recovery of 190 grams of Alprazolam and 9 grams of heroin has been effected from the petitioner in the instant case. He also contends that the petitioner is also involved in several other cases and therefore, he would not be entitled to the concession of interim bail.

Heard.

In view of the above especially when the petitioner has been in custody for the last 2 years and 7 months, it would be in the interest of justice, if the petitioner is granted interim bail for a period of one week to enable him to celebrate festival of 'Lohri' with his family members including minor child.

Consequently, the petition is allowed. He shall be released on interim bail for a period of one week on furnishing requisite bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned. The petitioner shall be released on interim bail on 13.01.2023 at 09:00 a.m. and he shall report back at the Central Jail, Hoshiarpur by 05:00 p.m. on 20.01.2023.

At the time of his release, SHO of Police Station Mehtiana, District Hoshiarpur would be informed. The petitioner would furnish his mobile number to the SHO and keep the location of his phone on till 20.01.2023.

(ANUPINDER SINGH GREWAL)
JUDGE

12.01.2023

SwarnjitS

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No