

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4123-2020 (O&M)
Date of decision :06.09.2023

RUPINDER SINGH @ GOLDY

...PETITIONER(S)

Versus

STATE OF PUNJAB

...RESPONDENT(S)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vishal Khatri, Advocate for the petitioner.

Mr. Amish Sharma, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.19 dated 22.01.2019, under Section 21/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Islamabad, District Amritsar.

2. Allegations are that petitioner was found in possession of 260 Grams of *Heroin* without any permit or licence.

3. Petitioner was released on interim bail during Covid on 28.05.2020 and the release order reads as under:-

“IN THE COURT OF ShJaspinder Singh Additional District Sessions Judge-VII Amritsar

RELEASE ORDER OF ACCUSED

State
Vs.
Rupinder Singh

FIR no. 19/2019
Under Section 21/29/61/85 NDPS ACT,
PS Islamabad, Amritsar

The superintendent,
Central Jail/District Jail
Amritsar

Whereas in the above noted case, bail bonds of the accused Rupinder Singh @ Goldy Son of Upkar Singh son of Mastan Singh r/o MandirWali Gall, near PO Patti Dhaliwal, Vill. Mahal District Amritsar have been accepted by this Court in the sum of Rs. 50,000/- with one surety in the like amount.

You are hereby directed to release the said accused after attesting his bond, if he is not required in any other case. The accused be further directed to appear in this Court. His personal bonds are enclosed herewith. Return them to' this Court after due attestation.

Given under my hand and the seal of the Court, this 28-05-2020

Sd/-
(JaspinderSingh)
Additional Sessions Judge
Amritsar (D)

NOTE

PERSONAL BOND BE SENT BACK IMMEDIATELY AFTER COMPLIANCE AND ATTESTATION OF ACCUSED.THE INTERIM BAIL IS GRANTED THE ACCUSED FOR 6WEEKS.”

4. It transpires that interim concession was extended from time to time and the same is still continuing.
5. Also acknowledged by both sides that petitioner is regularly appearing before the Court below and there is no apprehension that he is likely to flee from justice; nor any other criminal case is stated to be pending against him.
6. Since petitioner is on interim bail w.e.f. 28.05.2020; hence, there is no justification to keep the matter pending any further and/or to send him in custody at this stage.

7. As a result thereof, there is no option except to make the order dated 28.05.2020 absolute.
8. Consequently, the petition is allowed. Petitioner is ordered to be released on regular bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.
9. Petitioner shall appear on each & every date of hearing and to fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).
10. The above observations may not be construed as an expression of opinion on the merits of the case.
11. It is clarified that in case, there is any misuse of concession of bail on the part of the petitioner, State of Punjab would be at liberty to move an appropriate application for recalling of this order.
12. Disposed off accordingly.
13. Learned trial Court is requested to expedite the proceedings and report be sent to the Registry by 30.11.2023.
14. Pending application(s), if any, shall also stand disposed off.

06.09. 2023

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**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>