

CRM-M-19515-2021

Date of Decision: 10.03.2023

Manoj Kumar

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Chandan Singh Rana, Advocate, for the petitioner.
Mr. Karunesh Kaushal, Assistant Advocate General, Punjab.

Rajesh Bhardwaj, J. (ORAL)

The petitioner has approached this Court praying for grant of regular bail in a case FIR No.14, dated 29.01.2021, registered under Sections 22/61/85 of NDPS Act, at Police Station Dakha, District Ludhiana.

Learned counsel for the petitioner has submitted that the petitioner is behind bars since 29.01.2021 and spent a period of about two years in jail in this case.

However, learned State counsel has placed on custody certificate, which would shows that the petitioner is convict in another case pertaining to FIR No.25, dated 11.02.2024, registered under Sections 22/61/85 of NDPS Act, at Police Station Dakha, Ludhiana and he is undergoing sentence in that case. As per the custody certificate, he has undergone actual sentence of 6 years 1 month and two days in that case.

Learned counsel for the petitioner submits that the sentence of the petitioner was suspended in FIR No.25 on 23.07.2021 as he did not furnish bail bonds, he is still in jail.

The custody certificate would reflect that as the petitioner himself did not furnish the bail bonds even after his sentence having been suspended and his custody is being counted only in FIR No.25 and thus in the present

case, his custody is only 0 day, as the same is not being counted in the present case as per the law settled.

After arguing for some time, learned counsel for the petitioner has submitted that he may be allowed to withdraw the present petition at this stage. He further prays that the trial Court be directed to expedite the trial.

After hearing learned counsel for the parties and perusing the record, this Court finds the request made by learned counsel for the petitioner, is genuine one.

Allowed to do so.

The present petition is dismissed as withdrawn at this stage with a direction to the trial Court to expedite the trial and conclude the same expeditiously.

10.03.2023
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Whether Speaking/Reasoned
Whether Reportable

(RAJESH BHARDWAJ)
JUDGE

: Yes/No
: Yes/No