

2023:PHHC:087449

CRM-M-23573 of 2023
Date of Decision: July 13, 2023

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 439 Cr.P.C., petitioner has prayed for grant of regular bail in case FIR No.21 dated 20.04.2017 registered under Sections 15/61/85 of NDPS Act and 207 of M.V. Act, at Police Station Sherpur, District Sangrur, Punjab.

As per allegations, 05 kg of poppy husk was recovered from the joint possession of petitioner and two others, namely, Mahinder Singh and Gurjant Singh.

It is conceded by learned counsel for the petitioner that petitioner had earlier been allowed bail. However, he misused the concession of bail and he was declared proclaimed offender. The other accused Mahinder and Gurjant Singh faced trial and were convicted vide judgment dated 10.08.2018 under Section 15 of the Narcotic Drugs and Psychotropic Substances Act. Both of them were sentenced to undergo Rigorous Imprisonment for a period of two months each. It is stated by learned counsel for the petitioner that petitioner is now in custody for the last about five months and that trial may take time to conclude and so, he may be allowed bail.

Although custody certificate has not been placed on record but as per order dated 19.04.2023 passed by learned Additional Sessions Judge, Sangrur, petitioner was re-arrested on 07.02.2023 and thus he is now in custody for the last more than five months. Trial may take time to conclude.

Having regard to the afore-said circumstances, but without commenting anything on the merits of the case, petitioner is re-admitted to bail on his furnishing bail bonds and surety bonds to the satisfaction of learned Chief Judicial Magistrate/ Duty Magistrate concerned.

Disposed of.

July 13, 2023

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(DEEPAK GUPTA)
JUDGE

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