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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M-29570-2020 (O&M)
Date of decision : 21.02.2023**

Bikramjit Singh @ Bikkar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Veneet Sharma, Advocate for the petitioner(s).

Mr. Sandeep Chopra, DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Second 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.151 dated 29.07.2018, under Sections 21 & 27A of the Narcotic Drugs and Psychotropic Substances, Act, 1985 (*for short 'the Act'*), registered at Police Station Lopoke, Amritsar Rural, District Amritsar.

2. Allegations are that petitioner was found in possession of 1 kg. 40 grams of Heroin.

3. This Court, on 09.03.2022, granted interim bail to the petitioner in the following manner:-

“This is a petition filed under Section 439 Cr. P.C. for grant of regular bail in case FIR No. 151 dated 29.07.2018 under Sections 21, 27A of the NDPS Act, 1985, registered at Police Station Lopoke, Amritsar Rural, District Amritsar.

Learned counsel submits that the petitioner is in custody for the last more than 3½ years and there is no progress before the learned trial Court at all.

Learned State counsel wishes to verify the above factual position.

Posted on 28.04.2022.

Till the next date of hearing, petitioner be released on interim bail on his furnishing bail bonds and surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.”

4. Learned counsel contends that petitioner was granted interim bail by this Court on 09.03.2022 and since then, he is regularly appearing before learned trial Court. Also contends that he is not involved in any other criminal case.

5. Learned State Counsel, upon instructions, has fairly acknowledged the above factual position.

6. Heard learned counsel for both the sides and perused the paper book.

7. Petitioner was granted interim bail by this Court and he is regularly appearing before the Court below; and there is no allegation that he is likely to misuse the concession of bail or hamper the proceedings in any manner, in case his interim bail is made absolute.

8. Since trial is likely to take sufficiently long time, thus sending the petitioner in custody at this stage would not serve any purpose.

9. Consequently, present petition is allowed. Interim bail granted to the petitioner, vide order dated 09.03.2022, is made absolute.

He shall be admitted to bail on his furnishing bail/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

10. Petitioner shall fully co-operate with the learned trial Court without seeking any unnecessary adjournment(s).

11. The above observations may not be construed as an expression of opinion on the merits of the case.

12. 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.

21.02.2023

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(MAHABIR SINGH SINDHU)

JUDGE

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