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

**CRM-M-38213-2019 (O&M)
Date of decision : 27.02.2023**

Jagdev Singh @ Deban

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Gurpreet Kaur, Advocate,
for the petitioner.

Mr. Sandeep Chopra, DAG, Punjab,
assisted by ASI Balbir Singh.

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.106 dated 12.08.2018, under Sections 22 & 29 of the Narcotic Drugs and Psychotropic Substances, Act, 1985 (*for short 'the Act'*), registered at Police Station Anandpur Sahib, District Rup Nagar.

2. Allegations are that petitioner was found in possession of 150 grams of intoxicating powder.

3. This Court, on 22.01.2021, granted interim bail to the petitioner in the following manner:-

*“Status report already filed on behalf of
respondent-State is taken on record.*

It is pointed out by learned counsel for the petitioner that petitioner is in custody since 12.08.2018 and there is no progress of trial.

Learned State counsel seeks time to verify the progress of trial.

Posted on 01.04.2021.

Let the petitioner be released on interim bail, till the next date of hearing, on his furnishing bail bond and surety bond to the satisfaction of learned trial Court/CJM/Duty Magistrate, concerned.”

4. Learned counsel contends that petitioner was granted interim bail by this Court on 22.01.2021 and since then, he is regularly appearing before learned trial Court. Also contends that the entire prosecution evidence is concluded.

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 22.01.2021, 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.

27.02.2023

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(MAHABIR SINGH SINDHU)

JUDGE

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