

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CRM-M-51014-2022 (O&M)

Date of Decision: 10.2.2023

Saraj Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Gurmeet Singh Saini, Advocate
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab

KARAMJIT SINGH, J.

Prayer in the present petition under Section 439 of Code of Criminal Procedure is for grant of regular bail to the petitioner in case FIR No.87 dated 18.5.2017 registered for the offences punishable under Sections 21, 22, 25, 29 of NDPS Act at Police Station City Moga, District Moga.

Counsel for the petitioner *inter alia* contends that during the investigation of this case, the petitioner was granted anticipatory bail which was made absolute by this Court vide order dated 17.4.2018 (Annexure P-3) and thereafter, the police presented the challan and thereafter, charges were framed and the trial commenced but during the trial, due to some unavoidable circumstances, the petitioner failed to appear and consequently, the bail was cancelled and he was directed to be summoned through non-bailable warrants vide order dated 24.11.2021 (Annexure P-28) and later on, the petitioner was arrested on 1.9.2022 and since then, he is lodged behind the bars and now the trial is not progressing ahead. So, prayer is made that

the petitioner be released on regular bail.

The present petition is resisted by the State counsel who on instructions from ASI Gurdeep Singh submits that the petitioner jumped bail and then his bail was cancelled but later on, he was arrested on 1.9.2022 and since then he is in custody. He further apprised the Court that till date, no prosecution witness has been examined.

I have considered the submissions made by the counsel for the parties.

It will take time for conclusion of trial. Thus, no useful purpose is going to be served by keeping the petitioner in custody for any further period.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the petitioner is ordered to be released on regular bail subject to his furnishing bail bonds/surety bonds to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

(KARAMJIT SINGH)
JUDGE

February 10, 2023
Paritosh Kumar

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