

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55834-2022
Date of Decision:-21.03.2023

AZAD KHAN

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner.

Mr. Hakam Singh, AAG, Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

The petitioner has approached this Court seeking grant of regular bail in a case having FIR No.77 dated 12.7.2010 registered under Sections 18 of NDPS Act at Police Station Bariwala District Sri Muktsar Sahib.

The counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case and now he is in custody since last 1 year and present case is relating to alleged recovery of 900 grams of opium which comes under non-commercial quantity. The

counsel for the petitioner further submits that the petitioner is not facing any other criminal case registered under NDPS Act.

The instant petition is contested by the State counsel, who submits that earlier the petitioner was declared as proclaimed offender but now he is in custody since last more than 1 year and the trial is progressing ahead.

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

In view of the fact that the present case is of recovery of non-commercial of contraband and the petitioner is in custody since last more than 1 year, so no purpose is going to be served by keeping the accused behind the bars for any longer period as conclusion of trial will take considerable time.

Thus, without commenting on the merits of the case, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing bail and surety bonds to the satisfaction of the trial Court/CJM/Duty Magistrate concerned.

21.03.2023
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

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