

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

CRM-M-59852 of 2022

Date of Decision: February 14, 2023

Suresh Chander ...Petitioner
Versus
State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Durga Dutt Sharma, Advocate
for the petitioner.

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

DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 439 Cr.P.C, petitioner prays for grant of regular bail in case FIR No.208 dated 02.10.2019 registered under Section 21, 61, 85 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Phase 1, Mohali.

15 grams of heroin i.e. of non-commercial category was allegedly recovered from the conscious possession of the petitioner. He was arrested on 02.10.2019 and was allowed bail on 06.11.2019. He absconded from trial on 01.02.2020 as he failed to appear and was ultimately declared proclaimed offender on 04.04.2022. He was re-arrested on 04.06.2022 and ever since then he is in custody.

Status report by way of an affidavit of Shri Harinder Singh Mann, Deputy Superintendent of Police (City-1), District SAS Nagar, has been filed by the State of Punjab. Custody certificate has also been placed on record revealing that the actual custody period of the petitioner is 10 months and 03 days. Custody certificate also reveals the criminal antecedents of the petitioner inasmuch as he is involved in four more cases out of which he is on bail in three cases.

Having regard to the fact that non-commercial category of

contraband was recovered from the petitioner and he is in custody for the last ten months and that trial may take long time, petitioner is re-admitted to bail to the satisfaction of the learned Chief Judicial Magistrate/ Duty Magistrate concerned. However, before accepting the bonds, the concerned Magistrate will be at liberty to initiate the proceedings under Section 446 Cr.P.C.

Disposed of.

February 14, 2023
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(DEEPAK GUPTA)
JUDGE

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