

CRM-M-27236-2024
Date of Decision: 29.07.2024

Versus

State of Punjab ...Respondent

Present: Ms. Shivani, Advocate for
Mr. Narinder S. Lucky, Advocate for the petitioner.

Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

1. The present 1st petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.205 dated 15.08.2017 (Annexure P-1) under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Section 29 of NDPS Act was added later on) registered at Police Station Adampur, District Jalandhar (Rural).

2. Learned counsel for the petitioner *inter alia* submits that the petitioner is in custody since 19.01.2024. The petitioner appeared before the trial Court in the month of February, 2020 but thereafter due to spread of Covid-19 pandemic the petitioner could not appear in the Court and has been declared as proclaimed offender. He further submits that earlier the bail was granted to the petitioner.

3. Notice of motion.

4. Ms. Avneet, AAG, Punjab accepts notice on behalf of the State and files the custody certificate, which is taken on record. She submits that the petitioner is involved in another case in which bail is already granted.

5. I have heard the submission of the learned counsel for the petitioner, learned State counsel and have gone through the paper-book.
6. Keeping in view the fact that petitioner could not be appeared just on one date and thereafter due to exceptional circumstances Courts were not fully working. Trial of the case would take a long time. So, no useful purpose would be served by keeping the petitioner behind the bars.
7. Accordingly, without commenting upon the merits of the case, the present petition is allowed and the petitioner is directed to be released on regular bail, on his furnishing bail bonds/surety bonds, to the satisfaction of learned Trial Court/Duty Magistrate, concerned.
8. The petitioner shall get his mobile number registered in the trial Court for receiving messages through CIS and shall not change his mobile number during pendency of the case. The petitioner shall also get his mobile number registered with the concerned police station. In case petitioner changes his residence, he shall inform the Court concerned about his new address. In case of default, the learned trial Court is free to cancel the bail granted to the petitioner.
9. However, nothing contained here-in-above shall be construed as an expression of opinion on the merits of the case. If the petitioner indulges in the commission of any offence while on bail, the State would be at liberty to move an application for cancellation of his bail granted vide this order.

29.07.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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