

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.

204 CRM-M-37653-2024.
Date of Decision: 09.08.2024.

Arshdeep Singh @ VickyPetitioner.

VERSUS

State of PunjabRespondent.

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Dr. Payel Mehta, Advocate for the petitioner.

Ms. Seema Mand, Additional Advocate General, Punjab.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner is seeking regular bail in FIR No.104 dated 09.12.2020 (Annexure P-1), under Sections 22, 25, 29, 61, 85 of NDPS Act, registered at Police Station Sehna, District Barnala.

2. Learned counsel for the petitioner submits that petitioner had earlier been granted regular bail in the instant case vide order dated 05.07.2021 passed in CRM-M-24554-2021, after he had been in custody for six months. The allegations against the petitioner are that he was in possession of 500 tablets of Tramadol with a total weight of 205 grams. It was also alleged that another bag containing 700 tablets of Tramadol with a total weight of 231 grams was kept between the driver and the pillion rider and the petitioner was driving the motorcycle. The petitioner had been appearing before the Trial Court regularly but he could not appear on 23.01.2023 due to some unavoidable circumstances.

3. Custody certificate filed by the learned State counsel is taken on record which indicates that the petitioner is in custody for 01 year, 11 months and 11 days. She further submits that six out of seventeen prosecution witnesses have been examined. She also states that in view of the serious allegations against the petitioner, he is not entitled to the concession of regular bail.

4. Heard.

5. The petitioner had earlier been granted regular bail when he had been in custody for six months, however, he could not appear before the Trial Court on one date and his bail was cancelled and bonds were forfeited. He is in custody for almost two years. Six out of seventeen prosecution witnesses have been examined. The conclusion of the trial is likely to take some time. I deem it a fit case to grant the concession of regular bail to the petitioner.

6. Therefore, without expressing any opinion on the merits of the case, the instant petition is allowed. The petitioner is ordered to be released on regular bail on his furnishing requisite bonds to the satisfaction of the trial Court/Duty Magistrate concerned.

(ANUPINDER SINGH GREWAL)
JUDGE

09.08.2024
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Whether speaking/ reasoned : Yes/ No
Whether Reportable : Yes/ No