



CRM-M-21496 of 2024

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

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CRM-M-21496 of 2024

Date of Decision: 07.04.2025

Mikku

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Ms. Prabhjot Kaur Virk, Advocate
for the petitioner.

Ms. Sheenu Sura, DAG, Haryana.

Manisha Batra, J.(Oral)

1. Prayer in the present petition filed under Section 439 Cr.P.C. is for grant of regular bail to the petitioner in case FIR No.84 dated 04.03.2022, under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Julana, District Jind.
2. The petitioner was given the benefit of bail in that case vide order dated 20.05.2022 passed by learned Additional Sessions Judge, Jind. Subsequently, he absented himself on 08.09.2022 and his bail was cancelled and bonds were forfeited to the State. He was arrested on 13.12.2023 and ever since, he is in custody. The application for grant of regular bail as filed by him before the learned trial Court has been dismissed vide order dated 15.04.2024.
3. It is argued by learned counsel for the petitioner that the petitioner is in custody since long. The trial is likely to take time since not even a single witness has been examined by the prosecution. His further detention would not serve any useful purpose. He was abide the terms and

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conditions and therefore, it is urged that the petition deserves to be allowed.

4. Per contra, learned State counsel has resisted the prayer made by the petitioner on the ground that there are serious allegations against the petitioner. Moreover, commercial quantity of contraband was recovered at his instance. He absented himself for a long period of time. There are chances of absconding if bail is granted to him, therefore, it is urged that he does not deserve to be extended the benefit of regular bail.

5. I have heard learned counsel for the parties at length and perused the material placed on record.

6. The petitioner has previously been extended the benefit of regular bail. On account of his non-appearance, his bail was cancelled. He is in custody since 15.12.2023. The trial is likely to take considerable time since none of the prosecution witness has been examined so far and his further detention would not serve any useful purpose. Keeping in view the discussion as made above but without meaning to make any comment on the merits of the case, the present petition is allowed. The petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the extent of two sureties to the satisfaction of the Trial Court/Duty Magistrate concerned. However, it will be open for the prosecution to apply for cancellation of bail in case the petitioner is found involved in any subsequent case.

07.04.2025*D.Bansal***(MANISHA BATRA)
JUDGE**

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