



CRM-M-60430-2024

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

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CRM-M-60430-2024

Date of decision: 22nd April, 2025

Gurlal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Gagandeep Singh, Advocate for the petitioner.
Ms. Sakshi Bakshi, Assistant Advocate General, Punjab.

MANISHA BATRA, J (ORAL):-

The petitioner is seeking benefit of regular bail in case arising out of FIR No. 34 dated 02.07.2018 registered under Section 21 and 22 of Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act') at Police Station Jhander, District Amritsar Rural.

2. The allegations against the petitioner are that as on 02.07.2018, he along with the co-accused was apprehended while he was driving a motor bike. 1200 loose intoxicant tablets were recovered from vehicle, which were of non-commercial quantity. The petitioner was released on bail vide order dated 13.12.2018 passed in CRM-M-54152-2018 (O&M) by this Court. He absented himself during trial, due to which his bail was cancelled on 14.02.2023 and bonds were forfeited to State. He was arrested again on 10.10.2024 and is in custody since then. He moved application for grant of regular bail before the learned trial Court, which was dismissed vide order dated 05.10.2024.

3. It is argued by learned counsel for the petitioner that he is in custody since long. Trial will take considerable time. His further



incarceration would not serve any useful purpose. Therefore, it is urged that he deserves to be released on bail.

4. Status report has been filed by respondent-State. Learned Assistant Advocate General, Punjab has argued that keeping in view the fact that the petitioner has misused the concession of bail previously granted to him and was even declared a proclaimed offender, he does not deserve to be extended benefit of bail as there are chances of his absconding.

5. Rival contentions raised by learned counsel for the parties have been considered.

6. The petitioner is in custody since 10.10.2024. Only two prosecution witnesses out of eighteen prosecution witnesses, have been examined. Trial would obviously take time to conclude. He was previously given benefit of bail. The recovered contraband was of non-commercial quantity. He does not have any criminal antecedents. Keeping in view the above discussed facts, the petition is allowed and the petitioner is ordered to be released on bail subject to his furnishing personal/surety bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

7. It is, however, clarified that the observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

8. Since the main petition has been allowed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

22nd April, 2025

Parveen Sharma

1. *Whether speaking/ reasoned* : *Yes / No*
2. *Whether reportable* : *Yes / No*