

**IN THE COURT OF PARMINDER SINGH RAI,
ADDITIONAL SESSIONS JUDGE, GURDASPUR**

CIS No: BA-296-2023
CNR No: PBGD01-000637-2023
Date of Decision: 30/01/2023

Amandeep Singh @ Aman s/o Ravinder Singh, resident of Village
Ghot Pokhar, Tehsil and District Gurdaspur.

.....Petitioner.

Vs.

State of Punjab

.....Respondent

FIR No. 92 dated 23.08.2019,
Under Section: 22 NDPS Act,
Police Station: Sadar, Gurdaspur.

Bail application under Section 439 Cr.P.C.

Present: Shri J.S. Gill, Advocate, counsel for petitioner.
Shri Kiran Kumar, Ld. Additional P. P for State

ORDER

1. This order of mine shall dispose of above mentioned bail application moved by petitioner under Section 439 Cr.P.C.
2. Upon notice, learned Additional P. P. put in appearance and contested the bail application. Police record was requisitioned and perused.
3. It is submitted by the learned counsel for petitioner that petitioner has been regularly appearing before the Court but during the proceedings of present trial i.e. on 24.03.2021, he could not appear before the court due to communication gap between him and

his counsel. The absence of petitioner was not intentional. He is ready to face trial. Conclusion of trial shall take sufficient long time and no purpose would be served by keeping the petitioner behind the bars for indefinite period, so, he may be admitted to regular bail.

4. On the other hand, it is submitted by learned Additional Public Prosecutor that petitioner intentionally absented from learned trial court in order to delay the proceedings, so the present bail application is liable to be dismissed.

5. I have heard rival contentions of learned counsel for petitioners as well as of learned Additional Public Prosecutor for State and have perused the record.

6. Record shows that accused/applicant in the present matter had earlier been on bail by the Court of Sh. Jatinderpal Singh Khurmi, the then learned Judge, Special Court, Gurdaspur vide order dated 23.09.2019, however, he absented himself on 24.03.2021 and on that day, his bail order was cancelled and bail bonds were forfeited to State and he was summoned through nonailable warrants of arrest. When his presence could not be procured through nonailable warrants, he was summoned through proclamation. Thereafter, petitioner was arrested by police in some other case on 31.12.2021 and he has been coming in custody since 24.05.2022. He must have learnt a lesson for remaining absent from the Court. The disposal of trial shall take sufficient long time and no purpose would

be served by keeping the petitioner behind the bars for indefinite period. As such, present application is hereby allowed and petitioner is admitted to regular bail on his furnishing bail bonds in the sum of Rs.50,000/- with one surety in the like amount, subject to the following conditions:-

- i. That he will appear in the court on each and every date of hearing;
- ii. That he will not leave the country without prior permission of the Court;
- iii. That he will not make any threat, promise or inducement to any person conversant with the facts of the case to dissuade him/her from disclosing the truth to the Court or police;

Bonds not furnished. Record of present bail application be attached with the main file.

Pronounced
Dated:-30/01/2023.
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur(UID No. PB00175)

Present: Shri J.S. Gill, Advocate, counsel for petitioner.
Shri Kiran Kumar, Ld. Additional P. P for State

Judicial record perused. Arguments heard. Vide my separate detailed order of even date, bail application has been allowed, subject to the detail mentioned therein. Bonds not furnished today. Record of present bail application be attached with the main file.

Pronounced
Dated:-30/01/2023.
Gurpreet Singh, Stenographer-II

(Parminder Singh Rai)
Addl. Sessions Judge,
Gurdaspur(UID No. PB00175)