

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

CIS No: BA-1709-2024
CNR No: PBGD01-004210-2024
Date of Decision: 22/05/2024

Gurpreet Singh @ Gopi s/o Kulwinder Singh, r/o village Rangilpur,
Tehsil Majitha, District Amritsar.

.....Petitioner.

Vs.

State of Punjab

.....Respondent

FIR No. 60 dated 16.05.2022
Under Section: 21 NDPS Act
Police Station: Sadar Batala

Bail application under Section 439 Cr.P.C.

Present: Ms. Kiran Prabha, Advocate, counsel for petitioner.
Shri Vikram Kashyap, 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. Petitioner could not appear before the court on 15.07.2023 as he was upset and was under medical treatment at Guru Nanak Dev Hospital, Amritsar. 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 the petitioner is a proclaimed offender and he 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 regular bail by this Court vide order dated 18.06.2022, however, he absented himself from the proceedings of the Court on 15.07.2023 on which date, he was summoned through non bailable warrants. When his presence could not be procured through non bailable warrants, he was summoned through proclamation and ultimately, he was declared proclaimed offender vide order dated 02.12.2023. Thereafter, petitioner was arrested by police and he was produced in the court on 28.03.2024 and since then he is coming in custody. No doubt, petitioner is a proclaimed offender but he has been coming in custody since 28.03.2024. Accused applicant has been booked in the present case just for the recovery of 10 grams Heroin. 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 before the trial Court/Duty Magistrate, 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;

Record of present bail application be attached with main

file.

Pronounced
Dated:-22/05/2024.
Gurpreet Singh, Stenographer-II

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

Present: Ms. Kiran Prabha, Advocate, counsel for petitioner.
Shri Vikram Kashyap, 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. Record of present
bail application be attached with main file.

Pronounced
Dated:-22/05/2024.
Gurpreet Singh, Stenographer-II

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