

In the Court of Shri Harjeet Singh,
Additional Sessions Judge, Amritsar (Duty).
(Unique Identification No. PB0131)

Case Type	BA
Filing No.	BA/3423/2020 Date: 08.05.2020
CNR No.	PBAS010047212020
CIS Number	BA/1926/2020
Date of Order	16.05.2020

State of Punjab.

Versus

Manjinder Singh son of Santokh Singh, resident of village Akalgarh Dhapiyan,
Police Station Tarsikka, Distt. Amritsar.

.....Applicant/accused.

FIR No. 51 of 31.05.2014
Under Sections 21, & 22 of NDPS Act
Police Station: Tarsikka, Amritsar.

Bail Application under Section 439 Cr.P.C.

Present: Shri Nikhil Kad, Counsel for the applicant-accused through
 video conference.
 Shri Jagdeep Kumar, Addl. PP for the State through video
 conference.

ORDER

File put up before me being Duty Judge as per order passed by the
learned District & Sessions Judge, Amritsar bearing Endst. No. 1/Spl dated
30.04.2020. Vide this order, I intend to dispose of bail application under Section
439 Cr.P.C. filed by applicant-accused Manjinder Singh in the FIR mentioned
above.

Record perused.

Learned Counsel for the applicant-accused argued that applicant-accused is in custody since 04.04.2020 and he has already learnt a lesson for remaining absent. The conclusion of trial will take lot of time. No useful purpose would be served by detaining the applicant-accused behind the bars for indefinite period and prayed that accused be released on bail.

On the other hand, learned Addl. PP for the State opposed the bail application and argued that applicant-accused has already misused the concession of bail and was declared proclaimed offender. It is not a fit case where concession of bail can be given to accused and prayed that bail application be dismissed.

I have considered the submissions of learned Counsel for the applicant-accused and learned Addl. PP for the State.

Perusal of file goes to show that applicant-accused Gurwinder Singh got himself absented on 17.04.2018 and ultimately, on 06.07.2019, he was declared proclaimed offender. He is in custody since 04.04.2020. He has already learnt a lesson for remaining absent from the Court without any intimation. The recovery allegedly effected from accused falls in inter-mediate quantity and not commercial quantity. The completion of trial will certainly take some time. No useful purpose would be served by detaining the applicant-accused behind bars for an indefinite period, he will be burden on State

Exchequer. So, in these circumstances, without much commenting upon merits of the case, bail application is allowed and applicant-accused is again ordered to be released on bail on furnishing personal bonds in the sum of Rs. 50,000/- with undertaking before the jail authority that applicant-accused will furnish surety bonds in the like amount within one month in the Court on normalization of the situation/circumstances effected due to arising of outbreak of coronavirus and with following conditions:-

- (i) that applicant shall not leave the country without prior permission of the Court;
- (ii) that he shall appear in each and every date of hearing;
- (iii) that he shall not tamper with the prosecution evidence.
- (iv) In addition to the above referred directions, in view of the outbreak of Corona Virus (COVID-19), the applicant is also directed to maintain social distancing and to obey the guidelines issued in this regard by the competent authorities during continuance of such outbreak.

Bail application file attached with main case file.

Dated: 16.05.2020

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(Harjeet Singh),
Additional Sessions Judge
Amritsar. (Duty)
(Unique Identification No. PB0131)