

214 CRM-3212-2017 IN
CRA-S-5286-SB-2015

BACHITER SINGH VS STATE OF HARYANA

Present: Mr. Navratan Singh, Advocate
for Mr. Navkiran Singh, Advocate
for the applicant-appellant.

Mr. Tanuj Sharma, AAG, Haryana

Heard.

Applicant-appellant-Bachiter Singh was convicted and sentenced to undergo rigorous imprisonment for ten years and to pay a fine of ₹1 lac for the offence punishable under Section 15 of Narcotic Drugs and Psychotropic Substances Act, 1985.

As per custody certificate dated 02.04.2017, applicant-appellant-Bachiter Singh has already undergone about 3 years 11 months and 2 days of imprisonment as on 02.04.2017 and by now he has undergone 4 years 25 days of imprisonment, which includes post conviction period of 1 years 5 months and 3 day.

Learned counsel for the applicant-appellant submits that the applicant-appellant is still in custody and has not been released on parole.

In view of dictum in case of *Daler Singh vs. State of Punjab, 2007 (1) RCR (Criminal) 316 (DB)* and keeping in view the fact that the appeal has been admitted for hearing and will take considerably long time before being listed for disposal, the present application is allowed. The remaining sentence of imprisonment of applicant-appellant-Bachiter Singh is suspended during the pendency of this appeal, on furnishing bail bond and surety bond to the satisfaction of concerned Chief Judicial Magistrate/Duty Magistrate, subject to his furnishing an undertaking that he will not indulge in any activity relating to possession or trade of narcotics and will not leave the country without prior permission of this Court.

May 25, 2017
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(SURINDER GUPTA)
JUDGE