

**201 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.16798 of 2015
Date of Decision: July 10, 2015

Phuman Singh

.... Appellant

vs.

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. KuldeepV.Singh Ahluwalia, Advocate for the petitioner.

Mr. Mr. Suresh Singla, Astt. Advocate General, Punjab.

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?

2. To be referred to the Reporters or not?

3. Whether the judgment should be reported in the Digest?

Kuldip Singh J.(Oral)

This is the second petition under Section 439 of the Code of Criminal Procedure, 1973 filed by the petitioner for grant of regular bail in case FIR No.268, dated 02.10.2013, under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the NDPS Act'), registered at Police Station Barnala, District Barnala.

The recovery involved in this case is more than 2 quintal of popy husk, which is commercial in nature.

All the pleas of the petitioner on merits were considered while deciding the first petition for regular bail and the same were negated by this Court vide order dated 16.10.2014.

Learned counsel for the petitioner states that fresh ground for grant of regular bail to the petitioner is that one year has elapsed and the trial is still going on.

Learned counsel for the State, on instructions from ASI Maghar Singh, states that out of 37 witnesses, 8 have been examined. It is also stated that the present petitioner is the habitual offender and has also been convicted in two other cases of similar nature.

It is a case of recovery of commercial quantity under the NDPS Act. Thus, there is no ground to grant regular bail to the petitioner.

However, the trial court is directed to dispose of the matter expeditiously by granting short adjournments.

Accordingly, the present petition is dismissed.

July 10, 2015
sarita

(KULDIP SINGH)
JUDGE