

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No.42734 of 2015 (O&M)
Date of Decision: 14.03.2016**

Jarnail Singh @ Jaila

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sandeep Arora, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by ASI Mahender Pal.

JASWANT SINGH, J. (Oral)

Present petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner/accused-Jarnail Singh @ Jaila in case FIR No.257 dated 22.08.2000, under Sections 15/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Nakodar, District Jalandhar.

At the time of recovery of 252 Kgs. of *Poppy Husk* being effected, all the three accused (including the present petitioner) had fled away from the spot.

It is contended that one of the co-accused Mohinder Singh has since been acquitted by the trial Court since the alleged recovery was from the open place and could not be fastened upon the named accused. It is next contended that the petitioner has been granted interim bail, which subsequently dismissed, however, the petitioner was never declared as a proclaimed offender.

The petitioner is now stated to be in custody since 05.06.2015 and is ready to face the trial.

Learned State Counsel, assisted by ASI Mahender Pal, concedes that the petitioner was never declared as a proclaimed offender.

Keeping in view the recovery being commercial in nature, no case for grant of regular bail is made out.

Accordingly, the present petition is dismissed. However, learned trial Court is directed to conclude the trial within three months from the next date of hearing.

March 14, 2016
Gagan

(JASWANT SINGH)
JUDGE