

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

CRM No. M-19858 of 2017

Date of Decision: 01.09.2017.

Jagdeep Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. B.S. Bhalla, Advocate,
for the petitioner.

Mr. AS Gill, Sr. DAG Punjab.

JITENDRA CHAUHAN.J.(ORAL)

This is second bail application filed under Section 439 the Cr.P.C for grant of regular bail in case FIR No.35 dated 30.03.2015, registered under Sections 21 and 22 of NDPS Act, 1985 at Police Station Bagha Purana, District Moga.

It is contended that the petitioners have been falsely implicated in the present case. It is further contended that since the dismissal of earlier bail application on 26.09.2016, the trial is not progressing. He refers to zimny orders dated 27.02.2017, 20.03.2017, 01.04.2017, 17.04.2017, 02.05.2017 and 16.05.2017. It is further contended that the petitioners are in custody since 30.03.2015.

On the other hand, the learned State counsel opposes the bail application.

Heard.

A perusal of the zimny orders, referred to above,

would show that the trial is progressing well at normal pace and there is no deliberate effort to delay the same. Vide order dated 17.04.2017 last opportunity had been granted to the prosecution to conclude its evidence. Further, vide order dated 16.05.2017 the learned trial Court keeping in view the fact that the accused is in custody since 30.03.2015, directed the Additional Public Prosecutor to take up the matter with the Senior Superintendent of Police to do the needful. As per the FIR, 490 grams of intoxicant powder containing Alprazolam had been recovered from the petitioners. The quantity recovered is commercial in nature. That apart, the learned counsel for the petitioner is not able to show any fresh circumstance in favour of the petitioner. Therefore, no case for grant of bail is made out. Consequently, the petition is dismissed.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

01.09.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No