

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

**CRM-M-37828-2017 (O&M)
Date of decision:15.12.2017**

Harminder Singh @ Bindi

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Charanpreet Singh, Advocate for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This is the 3rd petition preferred by the petitioner under Section 439 Cr.P.C. seeking concession of regular bail to the petitioner pending trial in case FIR No.20, dated 13.04.2016, under Sections 21/22/61/85 of the NDPS Act, registered at Police Station Banga, District SBS Nagar.

As per prosecution version, an alleged recovery of 110 grams of contraband was effected from the petitioner.

As per report of the Chemical Examiner, the same was found to be containing diphenoxilate hydro chloride. The alleged recovery, as such, would be construed as commercial in nature.

Petitioner has faced incarceration for a period of more than 20 months.

In view of the specific bar envisaged under Section 37 of the NDPS Act, this Court is not inclined to extend in favour of the petitioner the benefit of bail.

However, petitioner is certainly entitled to a speedy trial.

Learned State counsel apprises the Court that out of 10 prosecution witnesses cited, 4 have already been examined before the trial Court and 5 have been given up.

Under such circumstances, while declining the prayer of the petitioner for regular bail, the petition is disposed of with a direction to the trial Court to expedite the trial and in any case, to conclude the same within a period of four months from today.

Disposed of.

15.12.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No