

**Sr. No.214
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM No. M-10479 of 2017 (O&M)

Date of Decision: 18.01.2018

Rasal Singh @ Kala

... Petitioner

Versus

State of Punjab

... Respondent

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

Present:- Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.44 dated 23.04.2015, under Sections 21/22 of the NDPS Act, registered at Police Station Valtoha, District Tarn Taran.

As per prosecution version, an alleged recovery of 250 grams of intoxicant powder was effected from the petitioner. Petitioner initially was granted interim bail on 18.06.2015 to await report of the Chemical Examiner.

As per report of the Chemical Examiner which would subsequently received, the salt of Diphenoxylate Hydrochloride was found. The alleged recovery from the petitioner being construed to be commercial in nature, petitioner was taken into custody on 13.07.2016 and he has faced incarceration since then.

State counsel upon instructions from HC Gurdyal Singh, Police Station Valtoha, Tarn Taran submits that in the trial that has

ensued out of 08 prosecution witnesses cited 03 have been examined.

In view of the commercial quantity allegedly recovered from the petitioner, this Court is not inclined to accept the prayer for bail.

Be that as it may, the right of speedy trial to an accused cannot be denied.

Petitioner has faced incarceration now since 13.07.2016.

Under such circumstances, while declining the prayer for regular bail, instant 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 04 months.

Disposed of.

18.01.2018
vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No