

CRM-M-7774-2019

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

CRM-M-7774-2019

Date of Decision: 26.02.2019

Devraj alias Rodda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Rajinder Singh Bhatta, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

INDERJIT SINGH, J.(Oral)

Petitioner has filed this petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail in case FIR No.99 dated 27.05.2014, registered at Police Station Salem Tabri, District Ludhiana City, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'the Act').

Notice of motion has been issued. Learned State counsel has appeared and contested the instant petition.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

From the record, I find that the petitioner absented himself from the court proceedings and was ultimately declared proclaimed

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offender in the year 2015. He surrendered before the Court on 03.05.2017 and since then, he has been in custody. The recovery effected in the present case falls in commercial quantity. Section 37 of the Act bars the grant of bail to the accused in case of commercial quantity.

Keeping in view the fact that recovery effected in the present case falls in commercial quantity and in view of the fact that if the bail is granted to the petitioner, there is every apprehension that he may again abscond, I find that the petitioner is not entitled to the benefit of regular bail.

Therefore, finding no merit in the present petition, the same is dismissed.

However, as the petitioner has been in custody since 03.05.2017, trial Court is directed to conclude the trial expeditiously by giving short adjournments or even by adjourning the case on day to day basis, if necessary. The Investigating Officer and Station House Officer of the concerned Police Station are directed to produce the witnesses on the next two-three dates fixed before the trial Court.

26.02.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No