

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15018-2020(O&M)

Date of decision: 12.6.2020

Pratap Singh @ Partap Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Arjunveer Sharma, Advocate for the petitioner
Mr. S.P.S.Tinna, Addl. AG, Punjab

ANIL KSHETARPAL, J. (ORAL)

This is second petition for grant of bail pending trial to the petitioner in a criminal case arising from FIR No.24 dated 2.3.2019 registered under Section 15 of NDPS Act at Police Station Maloud, District Khanna. The first petition i.e CRM-M-38211-2019 was disposed of vide order dated 27.11.2019 in the following terms:-

“Prayer is for grant of regular bail in FIR No. 24 dated 2.3.2019 registered under Section 15 of the NDPS Act at Police Station Maloud, District Khanna.

As per the case of the prosecution 75 kgs poppy husk was recovered from the conscious possession of the petitioner who is owner and driver of the vehicle from which the recovery was made.

Learned counsel for the petitioner relies upon an order passed granting bail to co-accused namely Baljit Singh.

This Court has considered the submissions.

Baljit Singh was neither owner nor driver of the vehicle.

He had claimed that he was a mere passenger.

Keeping in view the aforesaid facts, petitioner cannot claim parity with co-accused Baljit Singh. Therefore, this Court is not inclined to grant regular bail to the petitioner. However, keeping in view the facts of the case, learned Special Court is requested to make sincere efforts to conclude the trial within 9 months.

Disposed of.”

Admittedly, the petitioner has not filed any fresh request for grant of bail before the Trial Court after the order by this Court on 27.11.2019. The grievance of the petitioner is that trial of the case is not likely to conclude within the time as referred to in the order dated 27.11.2019.

In the considered view of this Court, it would be more appropriate for the petitioner to move an application before the Trial Court.

Disposed of.

12.06.2020

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No