

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

CRM-M No.24685 of 2020 (O&M)
DATE OF DECISION: 05.10.2020

Kamaljit Singh

.....Petitioner

versus

State of Punjab

.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mrs. Silvi Katoch, Advocate for
Mr. Shakti Mehta, Advocate for the petitioner

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ALKA SARIN, J.: (Oral)

Heard through video conferencing.

This is the third application for grant of regular bail under Section 439 of the Code of Criminal Procedure, 1973 in FIR No.165 dated 10.10.2018 registered with Police Station Goraya, District Jalandhar Rural under Sections 18 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The only ground which the learned counsel has argued is that the trial is not making any progress and vide order dated 09.09.2019 the Trial Court was directed to expedite the trial of the case and dispose of the same at the earliest, preferably, within six months.

Notice of motion.

On the asking of the Court, Mr. Ramandeep Sandhu, Senior Deputy Advocate General, Punjab has put in appearance through video conferencing and accepts notice on behalf of the respondent.

Learned State counsel, on instructions from ASI Gurnam Singh, has submitted that out of 8 witnesses 5 have already been examined. He further states that two earlier applications filed by the petitioner were dismissed vide orders dated 10.05.2019 and 09.09.2019 passed in CRM-M-20773-2019 and CRM-M-33587-2019 respectively, and hence there is no ground for grant of bail.

I have heard the learned counsel for the parties.

In the present case, the recovery is of 7.5 kgs of Opium from the conscious possession of the petitioner. The recovery is clearly within the ambit of commercial quantity. Further, the ground argued by the learned counsel for the petitioner that the trial has not progressed also does not appear to be correct, inasmuch as, as per learned State counsel out of 8 witnesses 5 have already been examined. The orders attached with the present petition all pertain to the year 2019 and prior to the COVID-19 period. Learned counsel for the petitioner has not been able to show as to whether any application was also moved by the petitioner before the Trial Court for early disposal of the case.

In view of the above, I do not find any good ground for grant of regular bail.

Dismissed.

**(ALKA SARIN)
JUDGE**

05.10.2020
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NOTE: Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
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