

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-20478 of 2020

Date of Decision: 29.07.2020

Chidiebere

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Ms. Swati Verma, Advocate
for the petitioner(s).

Mr. Hitesh Nehra, Additional Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

This is second petition for grant of regular bail pending trial in a criminal case arising from FIR No. 75 dated 24.05.2018, registered under Section 21 of the Narcotic Drugs & Psychotropic Substances Act, 1985 at Police Station Machhiwara, Khanna, Ludhiana.

The first bail petition was disposed of by this Court on 13.11.2019 with the following order:-

“Petitioner prays for grant of bail pending trial in a case arising from FIR No.75, dated 24.05.2018, registered under Section 21 of the NDPS Act, 1985, at Police Station Machhiwara, Khanna.

As per the allegations, petitioner was found in conscious possession of 400 gram heroine which falls in commercial quantity.

Learned State counsel, on instructions from SI Santokh Singh, has submitted that the prosecution evidence is being recorded and statement of 2 witnesses has already been recorded, whereas 6 remained to be examined who are all police officials.

Keeping in view the facts of the case, learned trial court is requested to conclude the trial of the case within 6 months.

Learned counsel for the petitioner submits that the police officials are not appearing before the Court for the last 6 months.

Learned trial court is also requested to take steps in accordance with law for ensuring presence of the prosecution witnesses.

Commissioner of Police, Ludhiana, shall be personally responsible for ensuring the presence of the officials, failing which the court would be constrained to pass some orders.

Disposed of accordingly.

Let a copy of the order be sent to Commissioner of Police, Ludhiana”.

Learned counsel for the State has informed this Court that the prosecution has already concluded its evidence and the case is now fixed for defence evidence.

In view of the above, there is no ground to consider the request
for grant of regular bail to the petitioner.

Dismissed.

(Anil Kshetarpal)
Judge

July 29, 2020
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No