

206

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

CRM-M-40589-2020 (O&M)
Date of decision: 10.12.2020

Parveen Kumar Tandon

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Nand Lal Sammi, Advocate for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

ANIL KSHETARPAL, J. (ORAL)

This is second petition for grant of bail pending trial in a criminal case arising from FIR No.229 dated 11.12.2018 registered under Sections 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Sadar Nakodar, District Jalandhar.

The first petition filed by the petitioner was dismissed on 24.10.2019 with the following order:-

“Petitioner prays for bail in FIR No.229, dated 11.12.2018, registered under Sections 22/61/85 of the NDPS Act, 1985, at Police Station Sadar Nakodar, District Jalandhar.

As per the allegations, 68800 tablets of Alprazolam, 42500 tablets of Clovidol and 30000 capsules of Foridol i.e. Tramadol were recovered from boxes lying in the car.

Learned counsel for the petitioner submits that there is noncompliance of Section 50 of the NDPS Act as no option was given before carrying out the search. The search and seizure is from the car and not from the person. Hence, Section 50 of the NDPS Act is not applicable. Reference in this regard can be made from the judgment passed by 3 Judges Bench of Hon'ble Supreme Court on 15.10.2019 in the case of State of Punjab vs. Baljinder Singh and another (SLP (crl.) Nos.5659-5660-2019.

Hence, dismissed.”

Learned counsel for the petitioner contends that the petitioner is in custody for more than two years and the trial of the case has not made any progress.

No doubt, due to spread of COVID-19, the trial of the criminal cases have not made any substantial progress, however, now the courts have started resuming normal functioning. Keeping in view the recovery as noticed in the order dated 24.10.2019, this Court is not inclined to grant bail to the petitioner.

Accordingly, the present petition is dismissed.

10.12.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No