

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

CRM-M-30117-2020 (O&M)

Date of decision: 05.10.2020

Suresh Singh @ Suresh Singla @ Fauji

...Petitioner

Versus

Union of India

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Charanpreet Singh, Advocate for the petitioner.

Ms. Gurmeet Kaur Gill, Advocate for the Union of India.

ANIL KSHETARPAL, J. (ORAL)

This is second petition for grant of bail pending trial in a criminal case arising from Complaint/Crime No.09, dated 24.02.2018, under Sections 8 and 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985, filed by NCB Zonal Unit, Chandigarh.

The first application for grant of bail to the petitioner was dismissed on 07.01.2020, with the following order:-

“Through instant petition under Section 439 Cr.P.C. prayer has been made for grant of regular bail to the petitioner in a complaint No.NCB-09 dated 24.02.2018, filed under Sections 8 and 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985 before the Special Judge, Ludhiana.

According to prosecution, on the night of 24.02.2018, petitioner was apprehended with conscious possession of

3.250 kg. opium in the area near CSIR-CMER closed gate, near Novelty Showroom on Gill Road, Ludhiana, without any permit or licence.

Learned counsel inter alia contends that no independent witness was joined. Conclusion of trial may take a sufficient long time. No useful purpose would be served by detaining the petitioner any more in jail.

On the other hand, learned State counsel vehemently opposed the grant of regular bail to the petitioner.

Considering the fact that the recovery effected from the petitioner falls under the category of “commercial quantity”, he does not deserve the concession of regular bail.

Dismissed.”

Learned counsel for the parties contend that the trial of the case has not made any substantial progress.

Due to spread of COVID-19, the normal functioning of the Courts has not been possible.

Keeping in view the aforesaid facts, no fresh ground to grant bail to the petitioner is made out.

Accordingly, the present petition is dismissed.

05.10.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No