

In the High Court of Punjab and Haryana at Chandigarh

CRM-M No. 29581 of 2020 (O&M)
Date of Decision: 18.11.2020

Nachattar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. K.S.Sidhu, Advocate
for the petitioner.

Mr. S.S.Cheema, AAG, Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

The petitioner seeks regular bail in FIR No.11 dated 05.05.2018 under Sections 21, 25 and 29 of the NDPS Act, 1985, registered at Police Station Special Operation Cell, Amritsar, Intelligence Wing (CID).

Learned counsel for the petitioner submits that in the present case, the IO has already been examined and he has specifically stated that the petitioner has no links with the smugglers and no call details have been placed on record regarding the interaction of the petitioner with the Pakistani smugglers. Learned counsel for the petitioner further submits that provisions of Sections 42 and 50 of the NDPS Act have not been complied with. It has also been brought to the notice of this Court that in *Ruqa* and in the consent memo, FIR No. has already been mentioned. The petitioner is in custody for the last 02 years 06 months and 15 days. He has also relied upon

“Jagjit Singh @ Jaggi Vs. State of Punjab” decided on 23.09.2020 and CRM-M-45829 of 2019 titled as **“Rohit Talwar Vs. State of Punjab”**, decided on 09.12.2019 CRM-M-44067 of 2019 titled as **“Salamodeen @ Surmo Vs. State of Punjab”** decided on 09.12.2019 and CRM-M-No.27338 of 2020 titled as **“Balbir Singh @ Birru Vs. State of Punjab”** decided on 15.10.2020.

On the other hand, learned State counsel has pointed out that the recovery of one kg. heroin was recovered from the pocket of the petitioner as well as from the co-accused in the presence of the DSP and the consent memo was duly prepared on the spot.

In the present case, out of 18 witnesses, 15 have already been examined. No doubt that there is no other case against the petitioner but the trial is at the fag end. Moreover, this Court vide order dated 16.01.2020 passed in CRM-M-15274 of 2019 titled as **‘Joginder Singh Vs. State of Punjab’** has directed the Prosecution Agency to conclude evidence without any delay.

The allegation is against the petitioner is serious in nature. Therefore, no ground is made out to grant the concession of bail to the petitioner.

Dismissed.

However, this Court reiterates and directs the trial Court to conclude the trial in the present case expeditiously.

(HARNARESH SINGH GILL)
JUDGE

November 18, 2020

Anjal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No