

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

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**CRM-M-41083-2020
Decided on : 11.12.2020**

Manpreet Singh @ Manga

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. S.S. Sidhu, Advocate
for the petitioner(s).

Ms. Monika Jalota, DAG, Punjab
assisted by ASI Darshan Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 142, dated 30.12.2019, under Section 22 of the NDPS Act, 1985, registered at Police Station City Rampura, District Bathinda.

Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the case in hand. It has been submitted that as per the FIR in question, the petitioner was allegedly armed with a carry bag and on seeing the police officials, he threw the carry bag on the road side and hence, it was evident that the alleged contraband was not effected from the conscious possession of the petitioner. In support, learned counsel for the petitioner has placed reliance upon the various orders of this Court (appended as Annexures P-2 to P-6 along with the petition), wherein, the concession of regular bail has been extended to the accused from whose conscious possession contraband was not effected. Learned counsel for the petitioner has further submitted that the petitioner has been in custody since 30th December, 2020 and

there is no likelihood of the trial concluding anytime in the near future, as even the charges have not been framed till date.

Per contra, learned State counsel while opposing the prayer and submissions of the learned counsel for the petitioner, has submitted that the charges are likely to be framed in the near future. She has further submitted that the petitioner was earlier convicted in an another case of similar nature i.e. FIR No. 40, dated 30.03.2013, under Section 22 of the NDPS Act. Thereafter, during the suspension of his sentence in the aforementioned FIR, the petitioner was involved in the instant FIR. Hence, it has been submitted that seeing to his criminal antecedents, he does not deserve the concession of regular bail.

Heard.

The petitioner has committed the crime in question while his sentence had been suspended in the earlier FIR, in which he had been convicted under the NDPS Act. Hence, the petitioner does not deserve the concession of regular bail.

Dismissed. However, anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case. The trial Court is directed to expedite the trial and endeavour to conclude the same within eight months from today.

(MANJARI NEHRU KAUL)
JUDGE

December 11, 2020

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*