

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

CRM-M-54935-2019 (O&M)

Date of Decision: 27.11.2020

Surinder Pal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. SPS Tinna, Additional Advocate General, Punjab.

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TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

This is the 3rd petition preferred by the petitioner under Section 439 Cr.P.C. seeking regular bail pending trial in case FIR No.397, dated 25.12.2008, under Sections 21/23/28/29 of the NDPS Act, registered at Police Station City Phagwara, District Kapurthala.

Counsel for the parties have been heard.

It is a case wherein alleged recovery of 25 kgs of heroin was effected.

As per counsel representing the petitioner, the recovery was effected from the co-accused and the prosecution version is that the petitioner had run away from the spot.

It has gone uncontroverted that the petitioner had been declared a proclaimed offender and the trial Court has proceeded against the co-

accused which has culminated in his conviction.

Insofar as the present petitioner is concerned, his custody period as of date is approximately 6 years.

In the light of heavy and commercial quantity recovered, this Court would not be inclined to accept the prayer for grant of bail.

This would be more so on account of the conduct of the petitioner whereby he had been declared a proclaimed offender.

Be that as it may, the right of a speedy trial cannot be denied to the petitioner.

Learned State counsel upon instructions from SI Baljinder Singh informs the Court that out of 16 prosecution witnesses cited, 15 have already been examined.

Trial, as such, has made substantial progress.

While declining the prayer for bail, the instant petition is disposed of with a direction to the trial Court to make an earnest endeavour to expedite the trial itself and to conclude the same within a period of four months.

Disposed of.

27.11.2020

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |