

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

205

**CRM-M-1633-2020(O&M)
Decided on : 09.03.2021**

VIJAY KUMAR

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. P.S. Sekhon, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Bant 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.282 dated 05.11.2019 under Section 22 and 29 of the NDPS Act, 1985, registered at Police Station Lehra District Sangrur.

Learned counsel submits that the petitioner has been in custody since November 2019 and only charges have been framed till date, hence, there is no likelihood of the trial concluding any time in the near future. He further submits that the alleged contraband (1500 tablets Clovidol-100 SR and 1100 tablets B-REST-05 containing Alprazolam salt) was not recovered from the conscious possession of the petitioner and was allegedly thrown by co-accused Rajinder Singh @ Kala on seeing the Police party as per the FIR; in the circumstances, the petitioner cannot be said to have been in conscious possession of the alleged contraband. Learned counsel further submits that he is not involved in any criminal case, much less, under the

NDPS Act and was in fact picked up from his tea-stall.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner on instructions from ASI Bant Singh has apprised the Court that prosecution evidence is due to commence in the near future. He further submits that the petitioner and the co-accused Rajinder Singh @ Kala were specifically named in the secret information received by the Police party and thereafter apprehended during the *naka* laid by the Police party.

Heard.

After arguing for sometime learned counsel for the petitioner seeks to withdraw the instant petition.

The petition stands dismissed as withdrawn.

However, since the petitioner has been in custody since November 2019, the trial Court shall endeavour to expedite the trial and conclude the same preferably within 06 months from today.

(MANJARI NEHRU KAUL)
JUDGE

March 09, 2021

S.Sharma(syr)

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