

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

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**CRM-M-5367-2021(O&M)
Date of Order:10.02.2021**

RAM BAHADUR

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sahil Thakur, Advocate,
for the petitioner.

Mr. Bhupinder Beniwal, AAG, Punjab

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is 3rd petition for grant of bail pending trial in a criminal case arising from FIR NO.177, dated 10.08.2018, registered under Section 18 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station Nakodar Sadar, District Jalandhar Rural.

On 05.08.2020, two bail applications, one filed by the petitioner and second filed by Kuldeep Singh, were disposed of with the following order:-

“By this order, two bail applications, one filed by Ram Bahadur and second filed by Kuldeep Singh, shall stand disposed of.

This is second application for grant of bail filed by both the petitioners. The first application for grant of bail filed by Ram Bahadur was disposed of on 10.12.2019, with the following order:-

By this order, two bail applications, one filed by Ram Bahadur and second filed by Kuldeep Singh, shall stand disposed of.

This is second application for grant of bail filed by both the petitioners. The first application for grant of bail filed by Ram Bahadur was disposed of on 10.12.2019, with the following order:-

“Prayer is for grant of bail pending trial in a criminal case arising from FIR No.0177 dated 10.08.2018 registered under Sections 18/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Nakodar Sadar, District Jalandhar.

As per the FIR, from two accused, who were travelling in a Swift car, 5.2 Kg opium was recovered. On conclusion of the investigation, the police report under Section 173 Cr.P.C. has been filed and the trial Court has already started recording evidence.

Keeping in view the facts of the case, this Court is not inclined to grant concession of bail to the petitioner. However, learned trial Court is requested to conclude the trial expeditiously, preferably within a period of 6 months.

Disposed of, accordingly.”

Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Learned State counsel, on instructions from ASI Gurnam Singh, has submitted that the prosecution has already examined 4 prosecution witnesses out of total 7 witnesses proposed to be examined. He further submitted that recovery from both the petitioners is of commercial quantity.

Keeping in view the aforesaid facts, the trial of the case is already at an advance stage.

In view thereof, the prayer for grant of bail to the petitioners, at this stage, cannot be considered. However, the learned trial court is requested to make a sincere endeavour to conclude the trial expeditiously after the normal functioning of the Courts resume.

Disposed of accordingly.”

It is apparent from the reading of the aforesaid order that the prosecution evidence has started and 4 witnesses have already been examined. No doubt, due to Covid-19 pandemic, the Courts could not function in a normal manner for quite some time. However, now the normal working of the Courts has been restored.

In view thereof, the present petition is disposed of with a request to the learned trial court for expeditious conclusion of the trial.

February 10, 2021
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No