

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-5563 of 2021

Date of Decision: 15.02.2021

Dharminder Singh alias Happy

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Amit Arora, Advocate
for the petitioner(s).

Ms. Samina Dhir, Deputy Advocate General,
Punjab, for the respondent.

Anil Kshetarpal, J.

This is third petition for grant of regular bail to the petitioner pending trial in a criminal case arising from FIR No. 16 dated 14.05.2018, registered under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Mattewal, District Amritsar Rural.

The second petition was dismissed on 05.12.2019 with the following order:-

“This is second petition filed by the petitioner for grant of bail pending trial in a criminal case arising from FIR No.0016 dated 14.05.2018 registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station Mattewal, District Amritsar Rural. First bail application filed by him was withdrawn on 28.09.2018.

As per case of the prosecution, petitioner was found in conscious possession of 2110 intoxicant capsules and 2080 intoxicant tablets.

Learned counsel for the State, on instructions from

ASI Ramesh Kumar, has submitted that the prosecution has already started recording the depositions of its witnesses.

In view thereof, there is no ground to grant concession of bail to the petitioner. However, learned trial Court is requested to make a sincere endeavour and conclude the trial expeditiously.

Disposed of, accordingly”.

Learned counsel for the petitioner contends that after the passing of the order dated 05.12.2019, the trial has not made any progress.

No doubt, since March 2020, the Courts could not perform their functions in a normal manner in view of the spread of COVID-19. However, now the Courts have re-opened and normal functioning of the Courts has been resumed. The Courts are already making sincere efforts to dispose of the old cases. In view thereof, no ground is made out to grant the concession of bail to the petitioner. However, the learned trial Court is requested to record the prosecution evidence on the next date fixed i.e. 17.03.2021. It shall be the responsibility of the Commissioner of Police, Amritsar, to ensure that all the prosecution witnesses are present before the trial Court on the date fixed.

With the observations made above, this petition is disposed of.

(Anil Kshetarpal)
Judge

February 15, 2021
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No