

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

204

**CRM-M-8729-2020
Decided on : 19.02.2021**

Bagicha Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Ranbir Singh Sekhon, Advocate,
for the petitioner(s).

Mr. Sidakmeet Sandhu, AAG, Punjab
assisted by SI Ashwani Kumar.

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. 0007, dated 06.01.2021, under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity 'NDPS Act') (Section 61 of the NDPS Act, added later on), registered at Police Station Sadar Ferozepur, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner has been in custody for two years and the evidence has not yet commenced. He further submits that no doubt petitioner was named in the alleged secret information received by the police party, however, the compliance of mandatory provisions of the NDPS Act were not adhered to by the investigating agency, which raises a big question mark about the authenticity of the secret information so received by the police party.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions from SI Ashwani Kumar, has submitted that the petitioner was specifically

named in the secret information and a huge recovery of 1.5 Kg. heroin was effected from him and the co-accused. He has further submitted that 05 out of the 14 prosecution witnesses cited have been examined so far and hence the trial is likely to conclude in the near future.

Heard.

In the circumstances, no ground is made out to extend the concession of regular bail to the petitioner. However, since the petitioner has been in custody for two years, the trial Court concerned is directed to expedite the trial and conclude the same expeditiously, preferably, within a period of six months from today.

Petition stands dismissed accordingly.

(MANJARI NEHRU KAUL)
JUDGE

February 19, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No