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

CRM-M-11181-2019(O&M)

Date of decision :20.08.2021

Gurdev Singh alias Debu

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Manpreet Singh, Advocate for the petitioner.

Mr.V.G.Jauhar, Sr. DAG, Punjab.

TEJINDER SINGH DHINDSA, J. (ORAL)

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

This is the second petition preferred by the petitioner under Section 439 Cr.P.C. seeking regular bail pending trial in FIR No. 115 dated 09.07.2015, under Section 22 of the NDPS Act, 1985, Sections 25/54/59 of Arms Act and 399, 402, 382, 420, 467, 468, 471, 120-B of the IPC, registered at Police Station Dehlon, District Ludhiana.

Counsel for the parties have been heard.

As per prosecution version alleged recovery of one Kilogram of Heroin as also one pistol 0.32 bore and two live cartridges was effected from the petitioner.

Learned State counsel has vehemently opposed the prayer for

regular bail in view of the heavy commercial recovery as also the antecedents in terms of submitting that petitioner has suffered nine other convictions.

In view of the above, this Court is not inclined to extend the benefit of bail in favour of the petitioner.

However, there is another aspect. Petitioner was arrested on 09.07.2015. Investigation having been concluded, challan was presented and the charges were framed on 08.04.2016. Trial is still going on. The right of every accused to a free and speedy trial cannot be denied.

Mr.V.G.Jauhar, learned Senior DAG, Haryana, on instructions from SI Jatinder Kaur, informs the Court that out of 16 prosecution witnesses cited, 9 have been examined and 5 have been given up. While dismissing the instant petition seeking regular bail, directions are issued to the trial Court to make an earnest endeavour to expedite the trial and in any case to conclude the same within a period of four months from today.

Dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

20.08.2021

sunita

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No