

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

ASHOK KUMAR
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CRM-M-20502-2021 (O&M)

Date of decision: 12.11.2021

PARVEEN KUMAR TONDAN

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. JS Sandhu, Advocate for the petitioner.

Mr. Hittan Nehra, Addl. AG, 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 the third attempt by the petitioner to get bail, pending trial, in a criminal case arising from FIR No.229, dated 11.12.2018, registered under Section 22 of the NDPS Act, 1985, at Police Station Nakodar, District Jalandhar.

The first application was dismissed on 24.10.2019 with the following order:-

“Petitioner prays for bail in FIR No.229, dated 11.12.2018, registered under Sections 22/61/85 of the NDPS Act, 1985, at Police Station Sadar Nakodar, District Jalandhar.

As per the allegations, 68800 tablets of Alprazolam, 42500 tablets of Clovidol and 30000 capsules of Foridol i.e. Tramadol were recovered from boxes lying in the car.

Learned counsel for the petitioner submits that there is noncompliance of Section 50 of the NDPS Act as no option was given before carrying out the search. The search and seizure is from the car and not from the person. Hence, Section 50 of the NDPS Act is not applicable.

Reference in this regard can be made from the judgment passed by 3 Judges Bench of Hon'ble Supreme Court on 15.10.2019 in the case of **State of Punjab vs. Baljinder Singh and another (SLP (crl.) Nos.5659-5660-2019.**

Hence, dismissed.”

Learned counsel representing the petitioner contends that the petitioner has already suffered a long incarceration therefore, he should be granted the concession of bail.

Per contra, learned State counsel states that in this case a large quantity of intoxicating tablets were recovered from the petitioner. He further submits that the trial of the case has already made a substantial progress as prosecution has already recorded deposition of 6 prosecution witnesses and now the next date is 24.11.2021 for recording the statement of the remaining witnesses.

Keeping in view the aforesaid facts and without commenting on merits of the case, the petition is disposed of by directing the trial Court to make sincere endeavours for expeditious conclusion of the trial preferably within a period of three months from the date of receipt of a certified copy of this order.

All the pending miscellaneous application(s), if any, are also disposed of.

12.11.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE