

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

219

**CRM-M-22440-2021
Decided on : 30.06.2021**

Kamaldeep Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Vikas Cuccria, Advocate,
for the petitioner(s).

Mr. H.S. Multani, AAG, Punjab
assisted by ASI Satpal.

MANJARI NEHRU KAUL, J. (Oral)

This is the second petition filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case FIR No. 63, dated 22.05.2019, under Sections 15 & 18 of the NDPS Act, registered at Police Station Maqusudan, District Jalandhar Rural.

On a pointed query put to learned counsel for the petitioner as to what was the substantial change in the circumstances, which would warrant acceptance of the instant petition, he has submitted that the petitioner has been in custody since 22.05.2019 and the trial has not yet concluded. He has further submitted that a recovery of only 50 Kg. of poppy-husk was allegedly effected from his conscious possession pursuant to a secret information received by the police. It has been submitted that the

said recovery of 50 Kg. of poppy-husk was found in a gunny bag and hence minus weight of the gunny bag, the alleged recovery would fall below the commercial quantity.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, has apprised the Court that the petitioner committed the offence in question while he was on bail in another case registered against him under the NDPS Act. He has further apprised the Court that prosecution evidence is under way and the delay has been on account of the outbreak of pandemic COVID-19.

Heard.

Prima facie, there are serious allegations against the petitioner, for which he does not deserve the concession of regular bail. Besides this, his criminal antecedents also do not warrant the grant of bail to him.

Petition stands dismissed accordingly. However, anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

Since the petitioner has been in custody since 22nd May, 2019, the trial Court concerned is directed to expedite the trial and make all endeavours to conclude the trial on or before 31st December, 2021.

(MANJARI NEHRU KAUL)
JUDGE

June 30, 2021

J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No