

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

CRM-M-30749-2021 (O&M)

Date of Decision: 10.08.2021

GOPAL @ PALI

.....Petitioner

V/s.

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present: Mr. F.S. Virk, Advocate,
for the petitioner.

Mr. Luvinder Sofat, Assistant Advocate General, Punjab.

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.129, dated 30.09.2018 lodged under Section 15 of the NDPS Act, 1985 registered at Police Station Ghagga, District Patiala, Punjab.

A pointed query was put to the learned counsel for the petitioner as to what were the changed circumstances pursuant to the dismissal of the previous petition filed under Section 439 of the Cr.P.C, 1973 on 26.08.2020 which would warrant entertaining the instant petition, he miserably failed to satisfy this Court *qua* any such material change.

Per contra, learned State counsel while opposing the prayer and submissions made by the learned counsel for the petitioner has on instructions from ASI Jai Parkash apprised the Court that the petitioner is a man of criminal antecedents in as much as he is involved in another case under the NDPS Act as well as one case under the Prisons Act. It has been further submitted that 5 out of 10 cited prosecution witnesses stand

examined and remaining witnesses are likely to be examined in the near future.

Heard.

Prima facie, there are serious allegations leveled against the petitioner in the FIR in question. In addition to that learned counsel for the petitioner has failed to satisfy this Court qua any material change in the circumstances which would warrant entertaining the instant petition after the dismissal of the previous petition. In view thereof, the petition stands dismissed.

However, learned counsel for the petitioner has made a prayer to direct the learned Court below for expeditious conclusion of the trial as the petitioner has been in custody since 30.09.2018.

In the circumstances and keeping in view the long custody of the petitioner, the trial Court is directed to expedite the trial and conclude the same positively on or before 31.12.2021.

August 10, 2021

Ess Kay

**[MANJARI NEHRU KAUL]
JUDGE**

<i>Whether speaking / reasoned</i>	:	<i>Yes /No.</i>
<i>Whether Reportable</i>	:	<i>Yes/No</i>