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

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**CRM-M-33676-2021
Decided on : 15.12.2021**

Mohd. Ashraf

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. F.S. Virk, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

This is the third petition filed under Section 439 Cr.P.C. for grant of bail to the petitioner in case FIR No. 298, dated 13.10.2019, under Sections 22, 25, 29 of the NDPS Act, 1985 & under Section 207 of M.V. Act, registered at Police Station Bhawanigarh, District Sangrur (annexed as Annexure P-1).

Learned counsel for the petitioner submits that the petitioner has been in custody since 13th October, 2019 and only one prosecution witness out of 14 stands examined. Hence, there is no likelihood of the trial concluding in the near future. A prayer has, therefore, been made to extend the concession of bail to the petitioner.

Per contra learned State counsel while opposing the prayer of the counsel opposite, has submitted that on the basis of a secret information, wherein, the petitioner had been specifically named, he was apprehended with a huge quantity of 5000 tablets of Clovidol 100 SR

containing salt Tramadol Hydrochloride, which falls under the 'commercial category'. Learned State counsel has thus opposed the grant of bail to the petitioner in view of the bar created under Section 37 of the NDPS Act. He further submits that the delay in the conclusion of the trial has been on account of the outbreak of the pandemic

I have heard learned counsel for the parties and perused the material on record.

Prima facie there are serious allegations levelled against the petitioner of being found in conscious possession of 5000 tablets of Clovidol 100 SR containing salt Tramadol Hydrochloride. This Court, thus, does not deem it a fit case to grant the concession of bail to the petitioner.

Petition stands dismissed. It is, however, made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merit of the case.

The trial Court is, however, directed to expedite the trial in the wake of the long incarceration of the petitioner and make earnest efforts to conclude the same preferably within six months.

(MANJARI NEHRU KAUL)
JUDGE

December 15, 2021

J.Ram

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No