

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

**CRM-15484-2021in/and
CRM-M-35937-2020
Date of Decision: 23.09.2021**

Pavittar Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. Vikas Arora, Advocate
for the applicant-petitioner.

Ms. Monika Jalota, DAG, Punjab
for the respondent-State.

AVNEESH JHINGAN , J.(Oral)

Due to COVID-19 situation, the Court is convened through
video conference.

CRM-15484-2021

Learned counsel for the applicant-petitioner states that he does
not wish to press this application at this stage.

Allowed as prayed for. Application stands dismissed as not
being pressed.

Main Case

This third petition under Section 439 Criminal Procedure
Code is filed seeking regular bail in FIR No. 63, dated 10.05.2018, under
Section 22 & (Section 29 added later on) of Narcotic Drugs and
Psychotropic Substances Act, 1985(for short 'the Act'), registered at Police
Station Ghagga, District Patiala.

There was a recovery of 800 tablets of Tramadol and 200
tablets of Alprazolam from the conscious possession of the petitioner. The
weight of tablets of Tramadol was 369 mg and Alprazolam was 123 mg.

The recovery is of commercial quantity.

Learned counsel for the petitioner submits that petitioner is seventy years old. He is in custody for three years and five months. The trial is not proceeding at a decent pace. There is no other criminal case against the petitioner.

Learned State counsel opposes the prayer for grant of regular bail. She relies upon Section 37 of the Act. She submits that out of thirteen prosecution witnesses eight have been examined. There was delay due to COVID-19 situation.

The recovery from the petitioner is of a commercial quantity. It is not a case where trial is not proceeding. It is due to pandemic situation that there is delay in examining the prosecution witnesses.

No contention has been raised to bring the case within the parameters of Section 37 of the Act for grant of bail.

No case is made out for grant of regular bail.

Dismissed.

(AVNEESH JHINGAN)
JUDGE

23.09.2021
Parveen Sharma

Whether reasoned/speaking	Yes/No
Whether reportable	Yes/No