

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

213

CRM-M-39413 of 2020

Date of decision:11.11.2021

Ramesh Kumar @ Mashhi

... Petitioner

versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Hakam Singh, Advocate,
for the petitioner
Mr.M.S.Nagra, AAG, Punjab
...

AMOL RATTAN SINGH, J. (Oral)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'regular bail' under the provisions of Section 439 of the Cr.P.C., upon FIR no.154, dated 15.7.2019, having been registered at Police Station Canal Colony, Bathinda, alleging therein the commission of an offence punishable under Section 22 of the NDPS Act, 1985.

Learned counsel for the petitioner submits that the petitioner has been in custody for 2 years with the trial still not having concluded.

Upon query put to learned State counsel, he submits that as per his instructions, now 4 prosecution witnesses out of 10 have been examined and that the total quantity of contraband stated to have been recovered from the petitioner (as per the case of the investigating agency) was 4500 tablets of Clovidol.

That being so, in view of the bar contained in Section 37 of the NDPS Act, 1985, though other persons in a similar situation have been admitted to interim bail by this court on account of the trials not progressing due to the on-going pandemic, yet, now with the trial obviously progressing, there would be no reason to admit the petitioner to bail, with this petition consequently dismissed, with such dismissal however not to be taken as an observation of this court on the actual merits of the case and with the trial to continue obviously wholly on the basis of evidence led before that court.

11.11.2021
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No