

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

CRM-M-49407-2021

Date of decision: 01.12.2021

Lovepreet Singh @ Lovely

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Prateek Pandit, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Manjari Nehru Kaul, J. (Oral)

This is the fourth petition filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.325 dated 25.11.2018 under Section 21 of NDPS Act registered at Police Station Phillaur, Jalandhar.

At the outset, learned counsel for the petitioner has submitted that the trial has not made any headway subsequent to the withdrawal of the previous petition on 28.04.2021 as the petitioner has not been produced by the jail authorities during trial. While producing the copy of zimni orders dated 30.04.2021, 17.06.2021 and 15.09.2021 passed by the trial Court, which are taken on record learned counsel submits that despite repeatedly being ordered by the Court below, the jail authorities had failed to produce the petitioner before the trial Court. He further submits that as the petitioner has been in custody since 25.11.2018, he would be satisfied, if directions are issued to the trial Court to expedite the trial and decide the same within a stipulated period of time.

Learned State counsel has also not been able to apprise the Court as to the reason why the petitioner was not produced before the Court below on the aforementioned three dates/

Heard learned counsel for the parties and perused the material available on record.

Prima facie, recovery effected from the petitioner is huge and falls under the commercial quantity. As such, taking into consideration all the facts and circumstances, no ground is made out to extend the concession of bail.

Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

At this stage, a prayer has been made for issuance of directions to the trial court for expeditious conclusion of the trial as the petitioner has been in custody since 25.11.2018.

In the wake of the long period of incarceration of the petitioner, this Court deems it fit to direct the trial Court to endeavour to expedite the trial and conclude the same preferably within a period of three months.

01.12.2021
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No