

211 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH
 (through video conferencing)

CRM-M-39693-2019 (O&M)
Decided on : 18.01.2021

Ashwani Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. G.S.Simble, Advocate
 for the petitioner.

Mr. H.S.Sitta, AAG, Punjab.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.94 dated 29.06.2019 registered under Sections 21 and 22 of NDPS Act,1985 at Police Station City Batala District Gurdaspur.

Learned counsel for the petitioner inter alia contends that highly unbelievable version has been brought forth by the prosecution and the false recovery of 3250 intoxicant capsules (1950 intoxicant capsules marka Prvorin Spas and 1300 intoxicant capsules marka Parvon spas plus) have been shown to be recovered from the petitioner and the co-accused. He further submits that the petitioner has been in custody since 29.06.2019.

Per contra, learned State counsel while opposing the prayer of learned counsel for the petitioner on instructions from SI Harjit Singh submits that the prosecution evidence is underway and one out of seven prosecution witnesses cited has been examined so far.

Heard.

In view of the submissions made by learned counsel for the parties, no ground is made out to extend the concession of regular bail to the petitioner in the wake of huge recovery of intoxicant effected from him, which admittedly fall within the commercial quantity. Accordingly, the present petition stands dismissed. However, keeping in view the custody period of the petitioner, trial Court is directed to endeavour to expedite the trial and conclude the same preferably within a period of six months.

(MANJARI NEHRU KAUL)
JUDGE

18.01.2021

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No