

203.

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

CRM-M-6340-2022 (O&M)

Date of Decision: 07.09.2022

BALJINDER SINGH @ KALA

.... Petitioner

Versus

STATE OF PUNJAB

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Kuldip Singh, Advocate,
for the petitioner.

Mr. Sehajbir Singh Aulakh, AAG, Punjab.

JAISHREE THAKUR.J (Oral)

CM-8484-2022

Application is allowed, as prayed for.

Documents, Annexures P-3 to P-20, are taken on record, subject
to all just exceptions.

CRM-M-6340-2022

This is 3rd petition that has been filed under Section 439 Cr.P.C.
for grant of regular bail to the petitioner who is in custody since 25.03.2020
in FIR No.44, dated 25.03.2020, under Section 21 of the NDPS Act, 1985,
registered at Police Station Special Task Force, Mohali, District STF Wing.

Learned counsel appearing on behalf of the petitioner would
submit that this is a first offence and, therefore, ought to be allowed to be
released on regular bail by taking into account the length of custody.

Whereas learned counsel appearing on behalf of the respondent-State would

object to the said prayer by contending that the petitioner herein has been caught with 765 grams of heroin which is well beyond the commercial quantity. He would submit that in fact one witness has been examined and two witnesses have been summoned for tomorrow out of total 11 witnesses cited.

I have heard learned counsel for the petitioner and the respondent-State.

This Court is not inclined to grant regular bail only on the length of custody of the petitioner who has been apprehended in possession of 765 grams of heroin. Since the trial is underway, one witness has been examined and two have been summoned for tomorrow, let all efforts be made to conclude the trial as expeditiously as possible, preferably within a period of 4 months from today.

Present petition stands disposed of accordingly.

(JAISHREE THAKUR)
JUDGE

07.09.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No