

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

Sr. No.208

CRM-M-9747-2022

Date of decision: 15.11.2022

Narender Bagri

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sunil Saharan, Advocate
for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.89 dated 07.04.2020 registered under Section 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short – the NDPS Act) at Police Station Agroha, District Hisar.

The petitioner is being prosecuted for having been found to be in illegal possession of 250 grams of heroin.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; out of the 06 similarly placed co-accused three of them have been granted regular bail; the petitioner is in custody since 07.04.2020 and that since in the petitioner's trial 14 prosecution witnesses still remain to be examined, the same will take a long time to conclude.

Per contra, learned State counsel submits that the petitioner is a habitual offender as he presently faces 24 other criminal cases; the petitioner has already suffered 19 convictions under the various provisions of the IPC and NDPS Act etc.; in the present case he was found to be in illegal possession of 250 grams of heroin; he has committed the crime, which is the subject matter of the instant case, while he was on parole and that on account of the bar under Section 37 of the NDPS Act, the petitioner be denied bail.

On one hand, the petitioner faces 24 other criminal cases; has suffered 19 convictions which include convictions under various Sections of the IPC and NDPS Act and the offence which is the subject matter of the present case was allegedly committed by the petitioner while he was on parole. On the other hand, he is in custody for the last over 2 ½ years and that since in the petitioner's trial 14 prosecution witnesses still remain to be examined, the same is likely to take a long time to conclude.

After considering the afore facts, the petitioner is denied the concession of bail. However, in the facts of the case, this Court is of the opinion that the ends of justice would be served by directing the Trial Court to finally dispose of the petitioner's trial within 10 months from the date next fixed before it, in accordance with law.

November 15, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

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