

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M No.12586 of 2022 (O&M)
Date of Decision.22.04.2022

Malwinder Singh

...Petitioner

Vs

State of Punjab

...Respondent

CORAM:HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. J.S. Sandhu Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

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JAISHREE THAKUR J. (ORAL)

Reply filed on behalf of the respondent-State is taken on record.

This is second bail application that has been filed for grant of regular bail to the petitioner, who has been nominated as an accused in FIR No.297 dated 21.09.2019 under Sections 22, 25 of the NDPS Act registered at Police Station Talwandi Sabo, District Bathinda.

Learned counsel appearing for the petitioner would contend that apart from being entitled to grant of regular bail on the ground that the petitioner has been in custody since 21.09.2019, he is also suffering from Hepatitis C. It is submitted that the trial is not likely to conclude within a short span. It is argued that Coordinate Benches are allowing regular bail while considering the length of custody and would rely upon the judgment in CRM-M No.18399 of 2021 titled as *Balwinder Singh @ Balli Vs. State of Punjab* decided on 16.03.2022 and the judgment rendered by the Hon'ble Supreme Court in Criminal Appeal No.668 of 2020 titled as *Amit Singh*

Moni Vs. State of Himachal Pradesh decided on 12.10.2020 where in similar circumstances, regular bail has been allowed.

Learned counsel appearing on behalf of the respondent-State opposes grant of regular bail to the petitioner by contending that the trial is at the fag end, as only official witnesses remain to be examined.

I have heard learned counsel for the parties and find that the petitioner has been nominated as an accused with contraband of commercial quantity and his plea for grant of regular bail on the ground of suffering from Hepatitis C would not survive, in view of the fact that there is a report of the doctor submitting that he is being given treatment and has been taken to civil hospital as and when required. Consequently, the instant petition stands dismissed. However, this Court is of the opinion that since only official witnesses have to be examined and the trial is underway, it would be expedient to direct the trial court to conclude the trial expeditiously, preferably within a period four months from today.

(JAISHREE THAKUR)
JUDGE

April 22, 2022
Pankaj*

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