

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

210

CRM-M-15743-2022 (O&M)

Date of Decision: 16.12.2022

Anil Kumar

...Petitioner

Versus

Union Territory Chandigarh

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Kapil Khanna, Advocate, for the petitioner.

Mr. Anupam Bansal, Addl.PP, UT Chandigarh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of regular bail in respect of a case registered against him vide FIR No.398 dated 08.11.2018 registered at Police Station Sector-34, Chandigarh, under Section 21 of the NDPS Act, wherein the allegations are broadly to the effect that the petitioner was found in possession of 7 grams of 'heroin', which would fall within the category of 'intermediate' quantity.
2. Although the petitioner had earlier been granted bail, but he absented from the proceedings of trial and consequently, his bail was cancelled on 15.07.2019. Vide order dated 20.12.2019, he was declared a proclaimed offender and subsequently, he came to be arrested in connection with another case registered in Haryana on 19.07.2020. The trial Court in the present case issued production warrants and the presence of the petitioner

was secured on 14.01.2021 and the petitioner has been in custody since the said date.

3. Learned counsel for the petitioner has submitted that since 'intermediate' quantity of 'heroin' was recovered and the petitioner has been behind bars for a substantial period, he deserves the concession of bail.
4. On the other hand, learned Addl. PP representing the UT Chandigarh has submitted that having regard to the conduct of the petitioner, who had absented and had been declared a proclaimed offender, he does not deserve to be released on bail. It has been informed that the petitioner has been behind bars since the last about 2 years & 1 day and that he stands involved in one more case at Karnal registered under the NDPS Act. It has also been informed that out of cited 17 PWs, 10 remain to be examined, who are all official witnesses and the matter is now fixed before the trial Court on 16.01.2022.
5. Keeping in view the conduct of the petitioner, this Court does not deem appropriate to release the petitioner on bail. The petition, as such, is dismissed.
6. The trial Court is, however, directed to take necessary steps for expeditious disposal of the trial.

16.12.2022

Vimal

**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**