

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

205

**CRM-M-17316-2022
Date of decision: 29.07.2022**

YOGESH KUMAR

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Yashpal Thakur, Advocate
for the petitioner.

Mr. Nikhil Chopra, Addl. Advocate General, Punjab.

ANIL KSHETARPAL, J(Oral)

This is the petitioner's third attempt to get bail during the pendency of criminal trial arising from the FIR No. 366, dated 25.07.2018, registered under Section 22 (27-A/29 added subsequently) of the Narcotic Drugs and Psychotropic Substances, Act, 1985, at Police Station Focal Point, District Ludhiana, Punjab.

As per the case of the prosecution, 265 gram of Heroin was recovered from the petitioner, whereas, from his co-accused namely Narinder, 335 gram Heroin was recovered. Both were travelling in the same car. The recovery from each of the accused falls within the category of commercial.

The learned counsel representing the petitioner contends that the petitioner has suffered incarceration for a period of more than 4 years.

There is yet another case pending against the petitioner under the Narcotic Drugs and Psychotropic Substances, Act, 1985.

On instruction from ASI Vikas Singh, the learned counsel representing the State of Punjab submits that the prosecution intends to

examine 27 witnesses, whereas, the deposition of 6 witnesses has already been recorded. He admits that the remaining witnesses proposed to be examined are the officials of the Punjab Government.

The Court has also been informed that the case is now fixed for recording the deposition of remaining prosecution witnesses on 12.08.2022.

Keeping in view the aforesaid facts, no ground to grant concession of bail is made out.

Dismissed.

However, the Special Court is requested to conclude the trial of the case positively within a period of six months, from today.

All the pending miscellaneous applications, if any, are also disposed of.

July 29th, 2022

Ay

**(ANIL KSHETARPAL)
JUDGE**

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