

CRM-M-32672-2021

Date of Decision: 03.02.2022

Balwant Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Munish Garg, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, A.A.G, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

This petition has been filed under the provisions of Section 439 of the Cr.P.C., for grant of 'regular bail' to the petitioner in case FIR No. 16, dated 03.02.2021, registered at Police Station Tapa Mandi, District Barnala, for the alleged commission of offences punishable under the provisions of Sections 22/26/61/85 of the NDPS Act, 1985.

Though learned counsel for the petitioner submits that the case has been falsely planted upon him, upon a disclosure statement allegedly having been made by his co-accused from whom contraband is initially alleged to have been recovered, yet, in respect of any such false planting, admittedly he has not moved any application even before the trial court for summoning the call details records of the police party as is stated to have made any such recovery.

However, since the petitioner has been in custody for some time, with the trial still not stated to have commenced, without making any comment on the actual merits of the case whatsoever, this petition is disposed of with a direction to the trial court to conclude the trial at the earliest and with a direction also issued to that court that if prosecution witnesses (police officials) are not appearing to testify before that court, it would pass appropriate orders to obtain their presence, even by summoning the SSP concerned if necessary.

If any other petition is filed subsequent hereto, counsel for the petitioner would naturally be at liberty to take all pleas as are legally available to him, despite dismissal of this petition, with this court not having made any comment on the merits of the case other than what has been observed hereinabove.

February 03, 2022	(AMOL RATTAN SINGH)
nitin	JUDGE
Whether speaking/reasoned	Yes
Whether Reportable	No.