

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

**CRM-M-38928-2021 (O&M)
Date of decision : 24.02.2022**

Rakesh

... Petitioner(s)

Versus

State of Haryana and Another

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Arun Sharma, Advocate for the petitioner.

Mr. Viney Phogat, DAG Haryana for respondent No.1.

Mr. Rajiv Sharma, Advocate for respondent No.2-NCB.

ALKA SARIN, J. (ORAL)

Heard in physical mode.

This is the third petition filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the petitioner in FIR/Complaint No.VIII/14/DZU/2017 dated 07.04.2017 under Sections 20, 25 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short the 'NDPS Act') registered at Police Station NCB, Delhi Zonal Unit.

The first bail petition being CRM-M-2407-2018 was dismissed by a speaking order on 11.09.2018 and the second petition being CRM-M-41591-2020 was dismissed by yet another speaking order on 16.12.2020.

Learned counsel for the petitioner would contend that the petitioner has been in custody for a period of 4 years, 8 months and 21 days and the trial has not yet been concluded.

Learned counsel for respondent No.2-NCB has filed a detailed reply. It has been contended by learned counsel for respondent No.2 that the evidence of the prosecution is since over and now the matter has been adjourned to 25.02.2022 for defence evidence of the accused.

In view of the detailed orders passed by this Court on two earlier occasions as well as the fact that the trial is now at the conclusion stage, I do not deem this to be a fit case for grant of regular bail to the petitioner. Accordingly, the present petition is dismissed.

It is also made clear that any observation made herein shall not be treated as an expression of opinion on the merits of the case.

24.02.2022
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE : Whether speaking/non-speaking : Speaking
Whether reportable : YES/NO