

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

CRM-M-42805-2021(O&M)

Date of decision: May 31, 2022

Parminder Singh @ Meena

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Manish Verma, Advocate and
Mr. Vipul Sherwal, Advocate,
For the petitioner.

Ms. Akshita Chauhan, AAG, Punjab.

ARUN MONGA, J. (ORAL)

This is second foray of the petitioner before this Court, seeking regular bail in FIR No.16 dated 22.01.2020, registered under Section 21, 29 of the Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station Special Task Force, STF Wing, Phase-IV, SAS Nagar (Punjab) as the earlier one having been dismissed as withdrawn on 02.09.2020.

2. *Per* FIR, on 22.01.2020, recovery allegedly effected is 02 KG 20 Grams of Heroin from the applicant-accused and three co-accused. Petitioner is in custody since 22.01.2020.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. He submits that driver of the car was Jagdev Singh and present petitioner was sitting adjoining to him. Recovery has been done from beneath the driver seat. Challan has already been presented and the charges have also been framed. Prosecution testimonies are

already underway and conclusion of trial will take long time and no useful purpose would be served by keeping the petitioner behind the bars.

5. *Per contra*, learned State counsel opposes the bail plea and submits that no worthy grounds are made out for granting the petitioner the concession of bail.

6. I have heard the rival contentions of the respective learned counsels.

7. Given the nature of allegations, I am not inclined to grant bail at this stage. Moreover, the quantity recovered is commercial in nature. However, it is made clear that trial Court shall not grant any unnecessary adjournments and proceed expeditiously with the recording of the prosecution testimony since the petitioner has already in judicial custody for more than 2 years. The petitioner is at liberty to approach the learned Sessions Court after the completion of recording of prosecution testimonies and Court below is also at liberty to entertain the bail petition, if moved and pass fresh orders, as it may deem fit, without being influenced by the earlier bail petition dismissed by this Court.

7. Disposed of accordingly.

(ARUN MONGA)
JUDGE

May 31, 2022

vandana

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No