

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

**CRM-M-46017-2022 (O&M)  
Date of decision: 17.11.2022**

Gurinder Singh @ Guri

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Harkaran Singh, Advocate for  
Mr. B.S. Bhalla, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG Punjab.

\*\*\*\*

**HARNARESH SINGH GILL, J. (ORAL)**

Through the present petition, the petitioner seeks regular bail in case bearing No. 124 dated 04.08.2021 registered under Sections 22, 25 of the NDPS Act at Police Station Doraha, District Khanna.

Custody certificate dated 16.11.2022 issued by the Deputy Superintendent, Central Jail, Ludhiana, filed by the learned State counsel in the Court, is taken on record.

Learned counsel for the petitioner submits that the earlier petition was dismissed as withdrawn by this Court vide order dated 18.07.2022; that the present second petition has been filed owing to the change in circumstance inasmuch as, there are total 14 prosecution witnesses and all are official witnesses and since the presentation of challan i.e. on 20.09.2021 till filing of the present petition, no witness has been examined so far and that the petitioner has been in custody since 04.08.2021.

On the other hand, learned State counsel while controverting the submissions made by the learned counsel for the petitioner, has pointed out that earlier bail petition filed by the petitioner was dismissed as withdrawn on 18.07.2022 and there being no change in circumstance, the petitioner is not entitled to the concession of regular bail.

I have heard the learned counsel for the parties and have also gone through the documents on record.

While dismissing the earlier bail petition, filed by the petitioner, this Court took into consideration the pleas taken by the petitioner. It could not be shown that the pleas raised in the present petition for bail, were not considered by this Court while dealing with the earlier bail petition and as far as non-examination of the prosecution witnesses is concerned, it cannot be the ground to release the petitioner on regular bail.

In view of the above, there being no change in the circumstance, the petition is hereby dismissed.

Nothing stated hereinabove shall be construed as an expression of opinion on the merits of the case before the trial Court.

17.11.2022

Mangal Singh

(HARNARESH SINGH GILL)  
JUDGE

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |