

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-461 of 2023

Date of Decision: 31.01.2023

Baljinder Singh

... Petitioner(s)

Versus

State of Haryana

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Jasvir Singh Dhaliwal, Advocate
for the petitioner(s).

Mr. Jaspal Singh Pannu, Assistant Advocate General,
Haryana, for the respondent.

Anil Kshetarpal, J.

1. This is the petitioner's third attempt to get bail during the pendency of the trial. The petitioner claimed bail on the basis of his period of incarceration.
2. The learned counsel representing the petitioner submits that the petitioner has already suffered incarceration for a period of three years and two months.
3. While dismissing the petitioner's second bail petition on 07.07.2022, the following order was passed:-

“This is the petitioner's second attempt, to get a bail pending trial in a criminal case arising from FIR No. 289, dated 21.11.2019, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station, Kalanwali, District Sirsa.

As per the case of the prosecution, three persons including the petitioner were apprehended with 2400 Npx Tramadol Hydrochloride tablets containing the prohibited substance. The Forensic Science Laboratory has also confirmed the presence of Tramadol Hydrochloride. The total weight of the tablets comes to 2.112 kg, which falls in the category of a commercial quantity. The petitioner is also involved in two more cases under the Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel representing the petitioner submits that in one case, the petitioner has been convicted. He further submits that out of two cases, one case falls under the Punjab Excise Act, 1914 and other case is under the Narcotic Drugs and Psychotropic Substances Act, 1985. Thus, the petitioner's antecedents are also doubtful.

Keeping in view the rigours of Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985, no ground to interfere is made out.

Dismissed.

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

4. Mr. Jaspal Singh Pannu, Assistant Advocate General, Haryana, has stated that the trial against the petitioner has commenced and the prosecution has already recorded the deposition of five prosecution witnesses out of 12 proposed to be examined.

that the petitioner is involved in another case under the Narcotic Drugs and Psychotropic Substances Act, 1985.

6. In view of the aforesaid facts, no ground is made out to grant the concession of bail to the petitioner. Consequently, the present petition is dismissed.

(Anil Kshetarpal)
Judge

January 31, 2023
“DK”

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