

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(210)

CRM No. M-2981 of 2023
Date of Decision : 24.01.2023

Rajwinder Singh @ Raju

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Laghuinder Singh Sekhon, Advocate for the petitioner.

Mr. Gurvinder Singh, Assistant Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The present is the 4th petition seeking the grant of regular bail to the petitioner in FIR No. 35 dated 07.02.2021, under Section 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sunam, District Sangrur.

As per the allegations, petitioner was apprehended by the police and 1480 intoxicant tablets make RL/DOL-100-SR (Tramadol) and 2380 intoxicant tablets make ALPRAMED 0.5 (ALPRAZOLAM) were recovered.

Learned counsel for the petitioner submits that as the petitioner is behind bars for the last approximately two years, he be extended the concession of regular bail as the trial is not likely to conclude in near future.

Notice of motion.

Mr. Gurvinder Singh, learned Assistant Advocate General, Punjab, who is present in court, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent-State.

Learned State counsel submits that the petitioner is involved in an another case, which also relates to the NDPS Act and further, trial is already proceeding and out of total 17 witnesses, 04 have been examined so far.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

In the present case, the quantity of the contraband allegedly recovered from the petitioner is commercial in nature. Learned counsel for the petitioner conceded that Section 37 is applicable in the facts and circumstances of the present case. Learned counsel for the petitioner has not been able to satisfy this Court as to how, once the petitioner is already facing another case relating to the NDPS Act, a finding can be returned by the court that in case, the petitioner is granted the concession of regular bail, he will not indulge in the same activity again so as to cross the hurdle imposed by Section 37 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

Further, the grievance of the petitioner that trial is not proceeding at a pace required under law. Qua the said grievance, the trial Court is directed to complete the trial expeditiously even if the same is to be done by giving short adjournments.

Keeping in view the above, no ground is made out for the grant of bail to the petitioner as being claimed in the present petition.

Dismissed.

However, it is made clear that anything observed herein shall not be construed to be an expression of any opinion on the merits of the case.

January 24, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes/No

Whether reportable? Yes/No