

2023:PHHC: 151590

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

**CRM-M-16872-2023
Date of decision: 29.11.2023**

PALWINDER SINGH ALIAS PINDA**.....PETITIONER****VERSUS****STATE OF PUNJAB****.....RESPONDENT****CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. SPS Sidhu, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.118 dated 11.11.2018 under Sections 21, 25, 29 NDPS Act, registered at Police Station Lohian, District Jalandhar.

2. Learned counsel for the petitioner submits that no doubt there are as many as 27 other criminal cases including cases under the NDPS Act registered against the petitioner, however, it was one of those cases wherein the prosecution had been trying to implicate the petitioner in one case or the other and that too while he was already inside jail in some other criminal cases. It has been further submitted that on suspicion co-accused Manbir Singh was apprehended by the police party and recovery of 1 kg of heroin along with drug money was allegedly recovered from him; co-accused Manbir Singh then suffered a disclosure statement where he named two others i.e. Satnam Singh and Jaskaran Singh and also nominated the

petitioner as being part of the drugs syndicate. He submits that the disclosure statement on the basis of which, the petitioner was being arrayed as an accused did not have much evidenciary value.

3. Learned counsel has submitted that despite the petitioner having been arrested way back on 11.01.2019 and charges having been framed on 22.02.2019, only 6 prosecution witnesses, out of 16 cited, had been examined so far and hence, there was no possibility of the trial concluding in the near future. A prayer has therefore been made for grant of bail to the petitioner.

4. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner has submitted that in fact the petitioner is the kingpin, who had been masterminding the operations of the syndicate, while sitting inside the jail. It has also been submitted that the petitioner is not only involved in cases under the NDPS Act but also various offences under the Indian Penal Code. Learned State counsel has thus prayed for dismissal of the instant petition.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. Prima-facie, the petitioner comes across as a man of criminal antecedents being a habitual offender as would be evident from the number of criminal cases that he is involved in.

7. In the wake of his antecedents as well as huge recovery effected from the co-accused, this Court does not deem it fit to extend the concession of bail to him.

8. Dismissed.

9. Nothing contained herein above, shall be construed as an expression of opinion on the merits of the case.

10. However, since the petitioner has been in custody for almost 4

years and 11 months, the trial Court is directed to expedite the trial and conclude it at the earliest preferably within 3 months.

29.11.2023
manoj

(MANJARI NEHRU KAUL)
JUDGE

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