

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-24222-2021

Date of decision: 22.03.2023

Ajmer Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 439 of the Code of Criminal Procedure, 1973 in case FIR No.72 dated 02.09.2020 under Sections 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Sadiq, District Faridkot.

Learned counsel for the petitioner *inter alia* submits that a false case has been planted upon the petitioner for having been found in possession of 3000 intoxicant tablets. Learned counsel submits that mandatory provisions of the NDPS Act were not complied with when the alleged recovery was effected from the petitioner. The petitioner has been in custody since 02.09.2020 and there is no likelihood of the trial concluding in the near future as the prosecution evidence is still underway.

Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, submits

that a huge recovery falling under commercial quantity was effected from the petitioner and the delay in the conclusion of the trial has been on account of the outbreak of the pandemic of Covid-19. He submits that only 07 witnesses remain to be examined and hence, the trial shall not take much time to conclude.

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

In the facts and circumstances as enumerated hereinabove moreso since the trial is nearing conclusion, this Court does not deem it fit to extend the concession of bail to the petitioner.

Dismissed.

It is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

However, in view of the long incarceration of the petitioner, the Trial Court shall make earnest efforts to expedite the trial and conclude it expeditiously preferably within a period of 05 months from today.

22.03.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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