

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

201

**CRM-M-26207-2022
Date of decision: 10.02.2023**

GURDAS SINGH

..Petitioner

Versus

STATE OF HARYANA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. J.S. Pannu, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

This is the petitioner's third attempt to get bail pending trial in a criminal case arising from FIR No.02, dated 01.01.2020, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Dabwali, District Sirsa, Haryana.

The first petition was dismissed on 24.08.2020 with the following order:-

“Hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

The petitioner prays for grant of bail pending trial in a criminal case arising from FIR No.2, dated 01.01.2020, registered under Section 22/61/85 of the Narcotic Drugs and Psychotropic Substances Act, 1985, at Police Station City Dabwali, District Sirsa.

As per the case of the prosecution, the petitioner was found in conscious possession of 1400 tablets Tredol containing Tramadol salt and 800 tablets Prozolam containing salt Alprazolam. As per the order passed by learned Additional Sessions Judge, the recovery from the petitioner falls in commercial category as notified by the Central Government under NDPS Act, 1985.

Learned senior counsel appearing for the petitioner has fairly stated that the petitioner is a previous convict. He has been sentenced to undergo rigorous imprisonment for a period of 10 years, against which the appeal is pending.

Keeping in view the aforesaid fact and without commenting on the merits of the case, this court does not find good ground to grant bail to the petitioner, at this stage.
Hence, dismissed. ”

Whereas, the second petition was dismissed on 19.08.2021.

The learned counsel representing the petitioner contends that the petitioner has already suffered incarceration for a period of more than three years and the trial of the case is progressing at a snail's pace.

As already noticed in the order dated 24.08.2020, the petitioner is a previous convict under the Narcotic Drugs and Psychotropic Substances Act, 1985. He has been sentenced to undergo rigorous imprisonment for a period of 10 years. Though, the judgment of the conviction and sentence is subject to a pending appeal.

Keeping in view the aforesaid facts, no ground to grant the concession of bail is made out.

Dismissed.

However, the Special Court (trial Court) is requested to make sincere endeavor for the expeditious conclusion of the trial, particularly when the petitioner has already undergone incarceration for a period of more than 3 years.

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

February 10th, 2023

Ay

(ANIL KSHETARPAL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>