

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

**CRM-M-32330-2021 (O&M)
Date of decision : 16.01.2023**

Kala Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Lokesh Vohra, Advocate for the petitioner.

Ms. Shivani Sharma, DAG, Punjab.

Mr. Rajeev Sharma, Advocate for respondent No.2-NCB.

MANOJ BAJAJ, J.

Petitioner has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case bearing NCB Crime No.32/2017 dated 30.05.2017 registered under Sections 8, 21, 23, 60 and 61 of Narcotic Drugs and Psychotropic Substances Act, 1985 at Police Station NCB, Amritsar.

Learned counsel for respondent No.2-NCB has stated that the prosecution has discharged the onus by examining all its witnesses, and the case is being adjourned on the request of the accused. Mr. Sharma, learned counsel further states that the case is now fixed before the Special Court for defence evidence on 24.01.2023.

At this stage, learned counsel for the petitioner submits that the trial Court has summoned an additional accused through order dated 11.02.2019, which is under challenge before this Court through CRR No.1628 of 2019 and by virtue of interim order, the trial is not progressing.

A perusal of the order dated 12.07.2019 shows that this Court while issuing notice of motion has only stayed the operation of impugned order, therefore, the stand of learned counsel for the petitioner that this Court has stayed the trial is apparently misconceived.

Considering the advanced stage of the trial qua the petitioner, this Court is not inclined to extend the concession of regular bail to him, therefore, the petition is dismissed.

It is, however, clarified that the pendency of CRR No.1628 of 2019 shall not be an impediment to the trial proceedings qua the petitioner.

Since main petition stands decided, pending miscellaneous application(s), if any, shall stand disposed of accordingly.

(MANOJ BAJAJ)
JUDGE

16.01.2023
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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No