

2023:PHHC:097812

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

**CRM-M-33630-2023
Date of Decision:31.07.2023**

Parminder Kaur ...Petitioner

vs.

State of Punjab ...Respondent

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Veerpal Kaur, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 Cr. PC with a prayer to direct the Trial Court/Special Court, Moga to dispose of the regular bail application, arising out of FIR No.46 dated 17.05.2023, under Sections 22 of the NDPS Act (Sections 61 and 85 added later on), registered at Police Station Nihal Singh Wala, District Moga, (Annexure P-1), expeditiously.
2. Learned counsel for the petitioner contends that the petitioner was arrested in the present case on 17.05.2023 and a false case has been planted on her. Learned counsel further contends that the petitioner had filed the bail application on 26.05.2023 and since then the bail application has been adjourned repeatedly without any lawful justification.
3. Pursuant to the notice, reply by way of an affidavit of Deputy Superintendent of Police, Sub-Division Nihal Singh Wala, District Moga has been filed on behalf of respondent-State, which is taken on record.
4. Even the learned State counsel has admitted the fact that the bail

application filed by the present petitioner has been repeatedly adjourned by the learned Trial Court. However, learned State counsel submits that the bail application of the petitioner could not be decided as the FSL report has not been received and the adjournments were granted by the learned Trial Court, awaiting FSL report.

5. Be that as it may, once the petitioner has filed the petition under Section 439 Cr. PC, the Trial Court/Special Court is bound to decide the bail application, as expeditiously as possible. Even the Hon’ble Supreme Court has held in number of judgments, that the bail applications have to be decided on priority basis and in a time bound manner.

6. Consequently, the Trial Court/Special Court is directed to decide the bail application filed by the present petitioner within a period of two weeks from today.

7. The petition is disposed of.

31.07.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

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