

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-36268-2020 (O&M)

Date of decision: 12.04.2023

Lovedeep Singh @ Sonu

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Monita Mehta, Advocate
for the petitioner.

Mr. Amit Rana, 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.0237 dated 13.08.2020 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Shahkot, District Jalandhar Rural.

Learned counsel for the petitioner submits that the petitioner has been in custody since 13.08.2020 for having allegedly been found in possession of 1000 loose tablets (Tramadol) when he was apprehended on suspicion by the investigating agency on 13.08.2020. Learned counsel submits that the mandatory provisions of the NDPS Act were not fully complied with and hence on this ground itself the petitioner deserves the concession of bail. It has also been submitted that the petitioner has clean antecedents and is not involved in any other criminal case much less under the NDPS Act.

Per contra, learned State counsel while opposing the prayer

and submissions made by the counsel opposite on instructions from ASI Surjeet Singh, submits that the recovery effected from the petitioner was huge and fell under the commercial quantity. It has also been submitted that the trial is nearing conclusion as only 06 prosecution witnesses remain to be examined which in all likelihood would be examined on the next date i.e. 17.04.2023.

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

In the facts and circumstances as enumerated hereinabove particularly when the trial is not likely to take much time to conclude, this Court is not inclined to extend the concession of bail to the petitioner.

Dismissed.

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

At this stage, a prayer has been made by learned counsel for the petitioner for directing the Trial Court to conclude the trial expeditiously since the petitioner has been in custody for almost two and a half years having been arrested on 13.08.2020.

The Trial Court shall make earnest efforts to conclude the trial preferably within a period of 04 months from today.

12.04.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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