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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-43101-2023
Date of decision: 28.11.2023

BALWANT KUMAR

.....PETITIONER

VERSUS

STATE OF UT CHANDIGARH

.....RESPONDENT

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Shubham Dogra, Advocate for
Mr. Sunil Kumar Dahiya, Advocate
for the petitioner.

Ms. Vasundhara Dalal Anand, APP UT, Chandigarh.

MANJARI NEHRU KAUL, J. (ORAL)

1. This is second petition, whereby petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.22 dated 26.02.2022 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Sector 11, Chandigarh.

2. Learned counsel for the petitioner submits that he has been in custody 26.02.2022 and till date, the trial has not concluded, hence he be enlarged on bail.

3. Per contra, learned counsel for the state while opposing the prayer and submissions made by the counsel opposite, on instructions from ASI Ajmer Singh has submitted that recovery of 1 kg and 50 grams of 'Charas' (commercial quantity) was effected from the petitioner, when the police party intercepted him on suspicion. She submits that the trial is nearing conclusion and only 6 prosecution

witnesses, who are only formal in nature, remain to be examined. She submits that in the circumstances, the petitioner be not enlarged on bail.

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

5. In the facts and circumstances as enumerated hereinabove, especially, since the trial would be concluding shortly, no ground is made out to accept the prayer of the petitioner.

6. Dismissed.

7. Nothing contained herein above, shall be construed as an expression of opinion on the merits of the case.

28.11.2023

manoj

(MANJARI NEHRU KAUL)
JUDGE

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