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

CRM-M-45395-2022 (O&M)

Date of Decision: 11.05.2023

BITTU SINGH @ HARDEEP

.. Petitioner

Vs.

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anshul Sharma, Advocate for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has prayed for grant of regular bail under Section 439 Cr.P.C, pending trial in case FIR No.150 dated 29.05.2020, registered under Sections 15, 61 and 85 NDPS Act, at Police Station Patran, District Patiala. The petitioner is in custody since his arrest on 30.05.2020.

The FIR was registered on the basis of a secret information and the allegations as noticed by the Id. Judge, Special Court, Patiala in the order dated 20.10.2020 are as under:

“...As is revealed from the record, on 29.05.2020, 100 kgs of poppy husk was recovered from the trolly bearing No.PB11BR-5056 being driven by the applicant/accused, who on being signaled to stop the truck by the police, ran away from the spot after leaving the trolly. Co-accused Satnam Singh was apprehended at the spot, who disclosed the name of the applicant being the driver of said trolly....”

Learned counsel for the petitioner has argued that except for the present case, petitioner is not involved in any other case much less of similar nature. According to him, after framing of charges on 25.01.2021 and out of

total fourteen prosecution witnesses, eight witnesses have been examined so far. He prays for bail.

On the other hand, learned State counsel assisted by ASI Jagtar Singh, opposes the prayer on the ground that the quantity recovered falls under commercial quantity, but does not dispute this fact that petitioner is not involved in any other case. He further states that out of total fourteen prosecution witnesses, eight witnesses have already been examined and now the case is fixed before the trial Court for recording prosecution witnesses on 15.05.2022.

After hearing learned counsel for the parties, considering above background and the advanced stage of the trial, as the same is likely to conclude in the near future, this Court is not inclined to extend the concession of regular bail to the petitioner.

Resultantly, without meaning any expression of opinion on the merits of the case, no case is made out for releasing the petitioner on regular bail. However, the trial Court is directed to conclude the trial, preferably upto 31.08.2023.

Dismissed.

11.05.2023
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No