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221 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6082-2024
Decided On: 08.08.2024

MANIK DALIA @ MANIA

.....PETITIONER(s)

Versus

STATE OF PUNJAB

.....RESPONDENT(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Navdeep Singh, D.A.G, Punjab.

MANJARI NEHRU KAUL, J.(Oral)

1. This is the second petition filed under Section 439 Cr.P.C., praying for grant of regular bail in the FIR No.47 dated 26.03.2023 under Section 21 of NDPS Act, 1985 registered at Police Station Navi Baradari, District Jalandhar.

2. At the outset, a pointed query has been put to the learned counsel for the petitioner as to what is the material change in the circumstances, which would warrant entertaining the present petition since the previous petition was dismissed on merit on 23.11.2023, he has not been able to satisfy this Court qua any such material change in the circumstances except that the petitioner has now been in custody for 1 year and 04 months.

3. Learned State counsel has also opposed the prayer of the counsel opposite by asserting that there is no material change in the circumstances. In addition, learned State counsel has submitted that the huge recovery i.e. 400



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gms of heroine was affected from the conscious possession of the petitioner while he alongwith the other co-accused were travelling together. He further submits that the trial would not take much time to conclude as the prosecution evidence is under way and only 08 prosecution witnesses remain to be examined.

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

5. In the facts and circumstances enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner. Accordingly, the instant petition stands dismissed.

6. 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.

08.08.2024

Pd

(MANJARI NEHRU KAUL)
JUDGE*Whether speaking/reasoned?**Yes/No**Whether reportable?**Yes/No*