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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6846-2024 (O&M)
Date of decision : 15.02.2024

Karnail Singh Alias Mota

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present : Mr. Monty Goyal, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

HARKESH MANUJA.J. (ORAL)

1. By way of present petition filed under Section 439 Cr.P.C., prayer has been made for grant of regular bail to the petitioner in case bearing FIR No.100 dated 15.06.2021 registered under Sections 22, 61 and 85 of the NDPS Act at Police Station Doraha, District Ludhiana, wherein the petitioner has been implicated against the alleged recovery of 5700 Lomotil tablets and 1080 tablets of Alprasaft.

2. Learned counsel for the petitioner has submitted that the petitioner is already behind the bars for a period of 02 years and 08 months and the trial has not yet commenced and the same is likely to take some time and thus, the petitioner deserves the concession of regular bail.

3. On the other hand, learned State counsel has opposed the

prayer for grant of regular bail and submits that the trial has already commenced and out of 13 prosecution witnesses, 6 prosecution witnesses have been examined and two witnesses have been given up and the next date of hearing before the trial Court is 07.03.2024. Learned State counsel further submits that the petitioner is involved in one more case under of the NDPS Act.

4. I have heard learned counsel for the parties and gone through the paper book. I find substance in the submissions made on behalf of the petitioner.

5. Considering the instance of the petitioner who is involved in one more case under the NDPS Act involving commercial quantity and besides the fact that in the present case, the trial has already been commenced and most of the witnesses have already been examined and the next date of hearing is 07.03.2024, this Court does not deem it a fit case to accept the prayer for grant of regular bail to the petitioner especially in the wake of under Section 37 of NDPS Act.

6. Accordingly, the present petition is dismissed.

7. All the pending miscellaneous, if any, shall stand disposed of in view of the abovesaid order.

(HARKESH MANUJA)
JUDGE

15.02.2024

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Whether speaking/reasoned ? Yes/No

Whether Reportable ? Yes/No