



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-8401-2024

Date of decision: 24.05.2024

Bagicha Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (second) petition is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.28 dated 10.02.2022 under Section 22 of the NDPS Act, 1985 registered at Police Station Beas, District Amritsar.
2. Learned counsel for the petitioner submits that a highly improbable version has been brought forth against the petitioner, who is 90% disabled when he was intercepted on suspicion and a recovery of 11000 intoxicant tablets was effected from him. Learned counsel submits that even though charges were framed on 29.09.2022, however, till date only 04 prosecution witnesses have been examined and hence, the petitioner could not be made to languish in custody for an indefinite period.
3. Learned State counsel has, however, on instructions from ASI Major Singh, disputed the submissions made by the counsel



CRM-M-8401-2024

opposite. He has submitted that the petitioner was apprehended at the spot and a huge recovery of 11000 tablets was then effected from him. It has also been submitted that the police has no enmity to plant such a huge recovery upon the petitioner. Learned State counsel on further instructions has refuted that only 04 prosecution witnesses have been examined till date rather he, on instructions, has submitted that only 02 witnesses remain to be examined and hence, there is every likelihood that the trial would not take much time to conclude.

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, since the trial is nearing conclusion, no ground is made out to extend the concession of bail to the petitioner.

6. Accordingly, the instant petition is hereby dismissed.

7. 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.

24.05.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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