

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

CRM-M-16732-2023
Date of Decision : 06.02.2024

SURJIT KAUR ALIAS BHUNDI

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. S.S.Rana, Advocate,
for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. As per the directions of this Court vide order dated 20.12.2023, DSP Kulwinder Singh, has caused appearance and he has tendered unconditional apology for the conduct of ASI Jang Bahadur.
2. This second petition filed under Section 439 Cr.P.C., is for grant of regular bail to the petitioner in case FIR No.108, dated 25.12.2021, under Section 22(B) of the NDPS Act, 1985, registered at Police Station Nurmahal, District Jalandhar (Rural).
3. As per the allegations, the recovery of contraband effected from the present petitioner is of commercial quantity.
4. Learned counsel for the petitioner submits that considering the period of incarceration of more than 2 years, as suffered by the petitioner, he may be granted the concession of regular bail.

5. Learned State counsel, on instructions imparted to him by DSP Kulwinder Singh, informs that out of the total 8 prosecution witnesses cited by the prosecution 5, are already examined, and remaining 3 witnesses would be examined within one month from today.

6. Status report dated 30.10.2023, by way of an affidavit of Mr.Sukhpal Singh, DSP, Sub-Division, Nakodar, District Jalandhar (Rural), already filed in the Registry, is taken on record.

7. Custody certificate *qua* the petitioner, has also been filed by the learned State counsel, which is taken on record. It make revelation that the petitioner is involved in one more criminal case, under the provisions of NDPS Act.

8. This Court has heard the learned counsel for both the parties concerned, and has gone through the entire case file.

9. Considering the antecedents of the petitioner, the period of incarceration suffered by the petitioner, and the stage of trial, no ground is made out to extend the relief of regular bail to the petitioner. Accordingly, the instant petition is **dismissed**. However, the learned trial Court concerned is directed to expedite the recording of the remaining prosecution witnesses, preferably within a period of one month.

10. The Senior Superintendent of Police concerned, is also directed to ensure the presence of all the prosecution witnesses as and when called upon by the learned trial Court concerned, for recording of their statements.

11. A copy of this order be forthwith communicated to the learned trial Court concerned as well as the SSP concerned, for its compliance.

February 06, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No