



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-27696-2024

Date of decision: 30.07.2024

Sanjay Kumar Meena

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Surinderjit Singh Nahar, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.193 dated 10.11.2021 under Sections 18 and 21 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') (Section 207 of the Motor Vehicles Act added lateron) registered at Police Station Special Task Force, Phase-4, SAS Nagar, Mohali.

2. In compliance of order dated 03.07.2024, learned counsel for the petitioner has filed copies of zimni orders of the learned Trial Court which are taken on record subject to all just exceptions.

3. Learned State counsel, at the outset, has vehemently opposed the prayer made by learned counsel for the petitioner for extending the petitioner the concession of bail. It has been submitted that a specific secret information had been received qua the involvement of the petitioner and the co-accused in drug trafficking;



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pursuant to the secret information after due compliance of the mandatory provisions of the NDPS Act, the petitioner and the co-accused were intercepted while they were travelling together on a two wheeler. A huge recovery of 1 kg 600 grams of heroin along with 19 grams of opium was then effected from a bag which was also found on the scooter. Learned State counsel has submitted that no doubt the petitioner has indeed been in custody since 10.11.2021, however, now the trial was proceeding at a reasonably good pace as 02 prosecution witnesses have been completely examined, 03 given up, and the remaining 08 would be examined very shortly. It has also been submitted that on the last two dates i.e. 25.07.2024 as well as 19.07.2024, a request for adjournment had been made by none other than the defence counsel as a result of which further evidence of the witnesses could not be recorded. Learned State counsel submits that the prosecution would ensure that the prosecution witnesses appear on the adjourned date positively to get their evidence recorded. Learned State counsel has also brought to the notice of this Court that the petitioner has criminal antecedents as earlier he was involved in one case under the NDPS Act although he stands acquitted in the same, and one more criminal case is pending against him in the State of Rajasthan.

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

5. The petitioner along with the co-accused was allegedly found in possession of a huge contraband weighing 1 kg 600 grams of heroin, which has been classified as commercial under the NDPS Act.

In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit 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.
8. The learned Trial Court, however, is directed to conclude the trial expeditiously preferably within the next three months. It goes without saying that the prosecution and the defence both would cooperate in the expeditious conclusion of the trial.

30.07.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No