

229 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39586-2023
Decided on : 15.01.2024

Kuldeep Singh Petitioner

Versus

State of Punjab Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kunal Choksi, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the fifth petition filed by the petitioner seeking concession of regular bail in case FIR No.85 dated 09.05.2019 under Sections 22, 29, 61 and 85 of NDPS Act, 1985 registered at Police Station City Jagraon District Ludhiana.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been in custody since 09.05.2019, however, till date, the trial has not concluded. Learned counsel submits that the petitioner cannot be made to languish in custody for indefinite period. Learned counsel has further submitted that a false case has been planted upon the petitioner for having been found in possession of 15000 tablets of Kloxaps 0.5 MD, when he was apprehended by the police on suspicion.

3. Per contra, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on

instructions, has informed the Court that the trial is nearing conclusion as only one prosecution witness remains to be examined out of the 12 cited and the case is in fact fixed for today before the trial court concerned. It has also been brought to the notice of this Court that a huge recovery of 15000 tablets of Klozaps 0.5 MD weighing 2.8 kgs was effected from the petitioner. It has been further submitted that the recovery effected from the petitioner has been classified as commercial quantity.

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 at the fag end coupled with the fact that a huge recovery has been effected from the petitioner, this Court does not deem it fit to extend the concession of regular 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.

7. Keeping in view the long period of incarceration of the petitioner, the trial court is directed to make earnest efforts to conclude the trial expeditiously preferably within a period of two months.

15.01.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No