



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

241

CRM-M-44798-2024

Date of decision: 18.09.2024

Gurmukh Singh @ Gaggi

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rajiv Kumar Saini, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner in the instant (eighth) petition is seeking the concession of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in case FIR No.149 dated 11.10.2020 under Sections 21C, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Hariana, District Hoshiarpur.

2. Learned counsel for the petitioner has submitted that when the previous petition was filed seeking similar relief, learned State counsel on instructions had informed that the trial had concluded and the case was fixed for orders, however, the case has not yet been concluded and it is now fixed for 19.09.2024 for orders. He submits that the petitioner has been in custody for almost four years and in the circumstances, specific directions be issued to the learned Trial Court to expedite the trial and conclude it at the earliest.

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

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on record the custody certificate of the petitioner and submitted that a perusal of the same makes it evident that the petitioner is a man of criminal antecedents as he is involved in multiple criminal cases and that is one of the reasons for the delay in the conclusion of the trial in the instant case. Learned State counsel has submitted that the trial has been delayed not only on account of the involvement of the petitioner in multiple criminal cases but also on account of applications made by learned defence counsel for personal exemption. In support, learned State counsel has also placed on record copies of zimni orders of the learned Trial Court wherein the said fact stands reflected.

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 coupled with the stage of trial, this Court does not deem it fit to extend the concession of bail to the petitioner. The instant petition stands dismissed accordingly.

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. Since the petitioner has been in custody for almost four years, the learned Trial Court is directed to make earnest efforts to expedite the trial and conclude it at the earliest.

18.09.2024

Vinay

(MANJARI NEHRU KAUL)**JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No