



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

CRM-M No.56970 of 2024

Date of decision: 21st November, 2024

Pargat Singh @ Soni

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. T.S. Attariwala, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 483 of BNSS in case FIR No.166 dated 20.09.2023 under Sections 15, 29, 61, 85 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Bhawanigarh, District Sangrur.

2. Learned counsel for the petitioner submits that the petitioner was merely a traveler in a truck which was intercepted by the police on suspicion. A recovery of 84 kgs of poppy husk was thereafter, allegedly affected from the truck. Learned counsel has submitted that it is a matter of record that the driver of the truck was in fact its owner and it was he and he alone, who could have been aware about the contraband being transported in the vehicle in question. It has also been submitted by the

learned counsel that the petitioner has no previous criminal antecedents, which further lends credence to his false implication in the present case. Learned counsel has therefore prayed that in the aforementioned facts and circumstances, further incarceration of the petitioner would serve no useful purpose as the trial is still underway.

3. Per contra, learned State counsel while opposing the prayer and submissions made by the counsel opposite, on instructions from SI Kulwinder Singh, has not disputed that the truck, from which the alleged contraband was recovered, was registered in the name of co-accused who at the relevant time was driving the vehicle in question. It has also not been disputed by the learned State counsel that no secret information was received qua the involvement of the petitioner or the co-accused in drug trafficking. However, it has been submitted by the learned State counsel, on instructions, that only 4 prosecution witnesses out of the 15 cited remain to be examined and the next date of hearing fixed before the trial Court is 03.12.2024, when in all likelihood, the prosecution evidence would stand concluded. Learned State counsel submits that in the circumstances, the petitioner does not deserve to be extended the concession of bail as in all likelihood the trial would be concluding very shortly.

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

5. As per the instructions received by the learned State counsel, trial in all likelihood would be concluding very shortly as only 4

prosecution witnesses, who are formal in nature, remain to be examined. In the facts and circumstances, as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner. The petition, as such, is dismissed. 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.

6. At this stage, a prayer has been made by learned counsel for the petitioner that the trial Court be directed to expedite the trial and conclude it at the earliest, more so when it has come across that the petitioner has been falsely implicated in the case at hand.

7. In view of the prayer made by learned counsel for the petitioner, the trial Court is directed to make earnest efforts to conclude the trial expeditiously, preferably within a period of next three months from today.

(MANJARI NEHRU KAUL)
JUDGE

November 21, 2024
rps

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