

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

209

CRM-M-63902-2023

Date of Decision : November 19, 2024

ASHWANI KUMAR

-PETITIONER

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Vikramjeet Singh, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, prayer is made for grant of regular bail to the petitioner, in case FIR No.165 dated 24.10.2022, under Section 21(C) of the N.D.P.S. Act, 1985, registered at P.S. Sangat, District Bathinda.

2. In deference to the directions issued by this Court on 27.05.2024, the learned State counsel has filed reply, on affidavit of Heena Gupta, PPS, Deputy Superintendent of Police, Rural, Bathinda, which is taken on record. Moreover, on instructions imparted to him by S.I. Chet Singh, the learned State counsel has informed this Court that, out of total 25 prosecution witnesses, only 06 witnesses have been examined so far.

3. Taking into account the huge quantity of the recovered contraband (03 kgs heroin), which clearly falls within the ambit of “commercial quantity”, and, which was recovered from the vehicle driven

by the petitioner, this Court is not inclined to grant the relief of regular bail to the petitioner.

4. However, considering the period of incarceration suffered by the petitioner, which comes to approx. 02 years, coupled with the fact that, only 06 witnesses, out of total 25 prosecution witnesses, have been examined so far, this Court deems it appropriate to direct the learned trial Court to make all efforts to expedite the conclusion of trial. Moreover, the S.S.P. concerned is also directed to ensure the presence of all remaining prosecution witnesses, on each and every date, as fixed by the learned trial Court concerned, for their examination.

5. Consequently, the instant petition is **dismissed**, however, with direction (supra).

6. A copy of this order be forthwith sent to the learned trial Court, and, to the S.S.P. concerned for information and compliance.

November 19, 2024
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(KULDEEP TIWARI)
JUDGE

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