



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

225

CRM-M-3135-2025

Date of decision: March 25th, 2025

Gurwinder Singh @ Kalu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Satpreet Grewal Kapila, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

This is the second petition filed by the petitioner seeking the concession of regular bail in FIR No.1 dated 04.01.2024 registered under Sections 22, 29 of the NDPS Act, 1985, and Sections 482, 411 of the IPC, at Police Station Bhogpur, District Jalandhar.

2. At the outset, a pointed query was put to the learned counsel for the petitioner as to what was the material change in circumstances, which would warrant accepting the instant petition as the earlier one was dismissed as withdrawn as recently as on 16.10.2024 vide Annexure P-5.

3. Learned counsel for the petitioner has submitted that the trial has come to a virtual standstill thereafter as despite issuance of bailable and non-bailable warrants, the prosecution witnesses had failed to appear to get their evidence recorded. In support, learned counsel has drawn the attention of this Court to the relevant zimni orders, which have been annexed as Annexure P-2 with the petition.

4. A further query was posed to the learned counsel for the petitioner as to whether the prosecution witnesses had yet again absented on the adjourned date i.e. 13.03.2025 to which she fairly submitted that on the said date two of the prosecution witnesses had appeared and their evidence had been recorded.

5. This Court in the above facts and circumstances does not deem it fit to enlarge the petitioner on bail as after he was arrested on 04.01.2024, the trial has been proceeding at a considerably good place. The alleged recovery in the present case (Etizolam 6.12 grams) is way beyond the minimum classified as commercial under the NDPS Act.

6. Accordingly, the instant petition stands 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.

March 25th, 2025

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No