



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

**(243) CRM-M-15182-2025(O&M)
DATE OF DECISION: 25.03.2025**

Ajay KumarPetitioner

VERSUS

State of PunjabRespondent

CORAM HON'BLE MRS.JUSTICE MANJARI NEHRU KAUL

Present Mr.S.S.Gill, Advocate,
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab
assisted by SI Malkit Singh.

MANJARI NEHRU KAUL, J (ORAL)

1. The present petition has been filed under Section 483 of the BNSS for grant of regular bail to the petitioner in case FIR No.77 dated 28.06.2023, under Section 15 of NDPS Act, 1985 (later on added Section 29 of NDPS Act, 1985), registered at Police Station City Dhuri, District Sangrur.

2. Learned counsel for the petitioner contends that the petitioner has been in custody since 28.06.2023 and till date only four prosecution witnesses out of 13 have been examined and hence, the possibility of the trial concluding in the near future does not arise. It has been contended that it is the prosecution witnesses who have been repeatedly seeking adjournments leading to the trial getting prolonged. A prayer has therefore been made for extending the concession of bail to the petitioner in view of the long incarceration of the petitioner.



3. *Per contra*, learned State counsel while vehemently opposing the prayer and submissions made by the learned counsel has not disputed the custody period of the petitioner, however, it has been asserted by the learned State counsel that a specific secret information was received regarding the involvement of the petitioner in drug trafficking. Pursuant to the secret information, after due compliance of the mandatory provisions of the NDPS Act, the petitioner was nabbed and a recovery of 60 kgs of poppy husk was effected from the petitioner. Learned State counsel on further instructions has disputed the submissions made by the counsel opposite qua only four prosecution witnesses having been examined till date. It has been on the contrary contended by the learned State counsel that now only four prosecution witnesses remain to be examined, six witnesses have been given up; the remaining witnesses to be examined are formal in nature. Learned counsel has further submitted that the next date of hearing is 08.04.2025 and there is every likelihood that the trial in the given circumstances would conclude in the near future.

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

5. As per the case of the prosecution, the petitioner was intercepted following a specific tip-off. On being intercepted, recovery of 60 kgs of poppy husk was made from him. No doubt, the recovered contraband, is marginally higher than the minimum specified as commercial under the Act, however, this Court cannot loose sight of the fact that the trial is nearing conclusion and the next date fixed before the trial Court is 08.04.2025 when the remaining prosecution witnesses, who are mostly formal in nature, would be examined.



- 7. This Court in the given facts and circumstances does not deem it fit to extend the concession of regular bail to the petitioner.
- 8. Dismissed.
- 9. Nothing contained hereinabove shall be construed as an expression of opinion on the merits of the case.

25.03.2025
mamta

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No