

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

2025:PHHC:034176



(219)

CRM-M-36172-2024

Date of Decision: 11.03.2025

Rahul @ Mani

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. J.S. Bains, Advocate for petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

MANJARI NEHRU KAUL.J (Oral)

The petitioner is seeking the concession of regular bail, filed under Section 439 Cr.P.C in case FIR No.95, dated 18.07.2021, under Sections 21(C), 25, 29 of NDPS Act, registered at Police Station, Sadar Patti, District Tarn Taran.

Affidavit of Abhimanyu Rana, S.S.P., Tarn Taran has been filed in Court today on behalf of respondent-State. The same is taken on record subject to just exceptions and a copy has been supplied to counsel opposite.

Learned State counsel, at the outset, has drawn the attention of this Court to paragraph 4 of the affidavit and has submitted that out of the total 23 prosecution witnesses cited, 13 have been fully examined, one witness namely Inspector Jaswinder Singh has been examined in chief, whereas 4 others have been given up by the prosecution as being unnecessary. It has been, therefore, asserted by the State counsel that only 5

prosecution witnesses, who are mostly formal in nature remain to be examined and the next date fixed before the learned Trial Court is 25.03.2025, when in all likelihood the evidence of the prosecution would be concluded. Learned State counsel has, therefore, submitted that in the aforementioned circumstances and the stage of trial coupled with the fact that a huge recovery that too pursuant to a specific secret information had been received qua the petitioner, he does not deserve the concession of bail as there is a genuine likelihood that he could evade the proceedings before the Trial Court and abscond.

I have heard learned counsel for the parties and examined the material on record.

The recovery allegedly effected from the petitioner pursuant to a secret information is 5 kgs 2 grams of heroin which is multiple times beyond the minimum classified as commercial under the Act. Undoubtedly, the petitioner has been in custody since 18.07.2021, however, since the trial is nearing conclusion, this Court does not deem it fit to extend the concession of bail to the petitioner.

Accordingly, the instant petition 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.

The learned Trial Court shall, however, ensure that the trial is concluded expeditiously preferably within the next 3 months, in view of the long custody period of the petitioner.

(MANJARI NEHRU KAUL)
JUDGE

11.03.2025

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