



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

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CRM-M-48743-2024

Date of decision: July 10th, 2025

Kuldeep Singh @ Deepa

.....Petitioner

Versus

The State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Lakhwinder Singh Lakhanpal, Advocate
for the petitioner.

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

MANJARI NEHRU KAUL, J. (ORAL)

This is a second petition filed by the petitioner seeking the concession of regular bail in FIR No.136 dated 09.07.2023 under Sections 22 and 29 of The NDPS Act registered at Police Station Dharamkot, District Moga.

2. Learned counsel appearing for the petitioner submits that the petitioner has no previous criminal antecedents and has been falsely implicated in the instant case after he was apprehended on suspicion by the police party. It has been contended that even as per the case of the prosecution, no recovery of any contraband much less Etizolam (which was later shown to have been recovered from a bag, which the petitioner threw away on chancing the police) has been made from the petitioner. Learned counsel submits that the trial has been proceeding at a very slow pace with the prosecution evidence still underway even though charges were framed way back on 25.01.2024. A prayer has,

therefore, been made in the aforementioned facts and circumstances to extend the concession of bail to the petitioner.

3. Learned State counsel while opposing the prayer and submissions made by the counsel opposite has, on instructions from S.I. Bhalwinder Singh, not disputed the custody period of the petitioner nor has he disputed that the petitioner has no previous criminal antecedents. However, learned State counsel, on instructions, has submitted that the trial is at its fag end with only two witnesses, formal in nature, remaining to be examined and hence, in all likelihood, the trial would not take much time to conclude. It has also been submitted that although no recovery was made from the personal search of the petitioner, however, the petitioner on sighting the police party, threw away a polythene bag containing 62 tablets of Etizolam (7.87 grams), which arose suspicion in the mind of the police and led to the recovery of the contraband. Learned State counsel has submitted that in case the petitioner is enlarged on bail at this stage, there is every likelihood that he could absent from trial leading to further delay in the conclusion of the trial.

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

5. The trial is at its fag end with only two prosecution witnesses remaining to be examined. The recovery allegedly effected from the petitioner, though on suspicion and not from his personal search, has been classified as commercial under the NDPS Act. In the circumstances, this Court does not deem it fit to extend the concession of bail to the petitioner.

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.

8. However, the learned trial Court is directed to make earnest efforts to expedite the trial and conclude it within the next two months.

July 10th, 2025
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No