



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

227

CRM-M-53277-2024

Date of decision: 04.03.2025

Satpal

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. V.B. Godara, Advocate
for the petitioner.

Mr. Rajat Gautam, Addl. A.G. Haryana.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.199 dated 09.10.2023 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Dujan, District Jhajjar.

2. Learned counsel for the petitioner submits that the petitioner has been languishing in custody since 09.10.2023 and till date the trial has not conclude, hence, he deserves to be extended the concession of bail moreso when he has been falsely implicated in the present case and has no previous involvement in any case under the NDPS Act.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed the custody period of the petitioner,



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however, it has been asserted by the learned State counsel on instructions that a specific secret information had been received qua the involvement of the petitioner and two others in drug trafficking; following a tip off, the petitioner along with co-accused were intercepted while they were all seated in a white Baleno Car along with 02 kgs 220 grams of charas. It has been contended by the learned State counsel that it was after due compliance of all the mandatory provisions of the NDPS Act all the accused were apprehended at the spot and hence, there is no question of the petitioner being falsely implicated in the present case. Learned State counsel has further submitted that after the charges were framed on 14.11.2024, the trial has been moving at a reasonably good pace with 04 witnesses having been examined out of the 15 cited and the next date before the learned Trial Court is 05.03.2025 when some more witnesses are likely to be examined. It has also been submitted that the recovery effected in the present case is much beyond than the minimum classified as 'commercial' under the NDPS Act.

4. Learned State counsel, on further instructions, has submitted that although the petitioner is not involved in any other case under the NDPS Act, however, is involved in two other criminal cases, including a case under the Excise Act.

5. I have heard learned counsel for the parties and perused the material placed on record.

6. The petitioner was allegedly apprehended along with the co-accused after a specific secret information naming him, was received

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qua his involvement in drug trafficking. The recovery allegedly effected from the petitioner and the co-accused is much beyond than the minimum classified as 'commercial' and it was after due compliance of all the mandatory provisions of the NDPS Act. Since the trial is proceeding at a reasonably good pace, there is every likelihood that the trial would not take much time to conclude. In the facts and circumstances as enumerated hereinabove, this Court does not deem it fit to extend the concession of bail to the petitioner.

7. Accordingly, the instant petition is hereby dismissed.

8. 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.

04.03.2025

Vinay

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No