

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CRM-M-56543-2024
Date of Decision: 02.04.2025

Tayab Qureshi

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Mr. Akshay Kumar, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
95	25.02.2020	City Barnala, District Barnala	25/29 of NDPS Act and 465/467/468/470/471/120B IPC

The petitioner incarcerated in the FIR captioned above, has come up before this Court seeking regular bail under Section 439 CrPC, for third time.

2. On 24.03.2025, the Judge Special Court, Barnala has passed the following order:-

“Today, accused Krishan Arora has not come present, however, learned proxy counsel for the said accused filed an application for exempting the personal appearance of said accused, which is allowed for today only, for the reasons mentioned therein.

No DW is present.

Arguments concluded on behalf of accused namely Mohan Lal, Balwinder Kumar, Ishu Kumar, Naresh Mittal, Prem Kumar, Krishan Arora, Gaurav Arora, Harish Bhatia, Taiyab Qureshi, Hardeep Kumar, Ved Ram, Shakeel, Rupesh Kumar, Yogesh Kumar and Rajinder Kumar. To come up on 27.03.2025 for remaining DWs, if any.

Ld. counsel for the accused Imran is again directed to produce the defence witnesses, if any, and for arguments on the date fixed.”
3. Thereafter on 27.03.2025, trial Court has passed the following order:-

“Today, accused Krishan Arora has not come present. however, learned proxy counsel for the said accused filed an application for exempting the personal appearance of said accused, which is allowed for today only, for the reasons mentioned therein.

No DW is present. To come up on 01.04.2025 for remaining DWs, if any Ld. counsel for the accused Imran is again directed to produce the defence witnesses, if any, and for arguments on the date fixed.”

4. Petitioner’s counsel submits that now the matter has been transferred to another Special Judge for further hearing and all the accused are required to address arguments afresh in that court which could delay the pronouncement of judgment and prayed for bail.
5. On the other hand, State counsel submits that now the ball is in the Court of petitioner-accused and it is for them to conclude their case and State has no role in delay of trial.
6. Given above, since the matter is at the fag end, this court does not deem it appropriate to interfere at this stage except to request the trial Court to expedite the matter.
7. Given above, petition is disposed of with direction to the trial Court to conclude the trial expeditiously. Parties are directed not to seek unnecessary adjournment and in case, any of the accused seek unnecessary adjournment, the trial court shall be at liberty to cancel his bail. Pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

02.04.2025.
anju rani

Whether speaking/reasoned	Yes
Whether reportable?	No