



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

226

CRM-M-62923-2024

Date of decision: 09.07.2025

Gurpreet Singh @ Gora

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Barjinder Singh, Advocate for
Mr. Prateek Pandit. Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab
assisted by ASI Naveen Kumar.

MANJARI NEHRU KAUL, J. (ORAL)

1. This is the second petition filed by the petitioner seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.92 dated 12.08.2021 under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, 'the NDPS Act') registered at Police Station Talwandi Chaudharian, District Kapurthala.

2. On a pointed query put to the learned counsel for the petitioner as to what is the material change in circumstances which would warrant acceptance of the instant petition since the previous petition was dismissed vide detailed order on merits, it has been submitted that the trial has still not concluded despite the challan having been presented way back on 03.03.2022 and charges having been framed on 06.09.2023; when the previous petition was filed seeking similar relief 04 prosecution witnesses remained to be examined and ever since then, only 01 witness stand examined. Learned counsel submits that in the circumstances, the petitioner deserves to be



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enlarged on bail as the petitioner cannot be made to languish in custody for an inordinate period of time.

3. *Per contra*, learned State counsel while opposing the prayer and submissions made by learned counsel for the petitioner, on instructions, has not disputed that the petitioner was arrested on 12.08.2021 after the police intercepted him on suspicion. It has also not been disputed that the evidence is still underway. However, learned State counsel, on instructions, submits that the petitioner along with the co-accused on spotting the police, threw away the bag containing the recovered contraband i.e. 110 tablets of Etizolam and another bag containing 115 tablets of Etizolam; after due compliance of the mandatory provisions of the NDPS Act, the alleged recovery was then made from the petitioner and the co-accused. It has also been submitted by the learned State counsel that the petitioner is involved in one more case under the NDPS Act which could also possibly be one of the reasons for the delay in the conclusion of the trial in the present FIR as he may be going on production warrants to join proceedings in the second FIR which is pending against him. Still further, it has been submitted by the learned State counsel that no doubt after the charges were framed on 06.09.2023, the trial had been proceeding at a slow pace, however, the remaining three witnesses are likely to be examined before the learned Trial Court today and, therefore, once all these three witnesses are examined, the trial would not take much time to conclude. It has also been submitted that in view of the criminal antecedents of the petitioner and the stage of trial, the instant petition be dismissed as



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there can be a likelihood of the petitioner misusing the liberty granted to him by absconding and, therefore, leading to further delay in the trial.

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

5. No doubt, the trial has proceeded at an abnormally slow pace ever since the challan was presented more than two years back on 03.03.2022, however, since only three formal witnesses remain to be examined, there is every likelihood that the trial would be concluded shortly. Keeping in view the recovery effected in the present case from the petitioner and the co-accused, which falls under the 'commercial' quantity, this Court does not deem it fit to extend the concession of bail. The instant petition stands dismissed accordingly.

6. At this stage, a prayer has been made by learned counsel for the petitioner for issuance of directions to the learned Trial Court for concluding the trial at the earliest.

7. The learned Trial Court shall make earnest efforts to expedite the trial conclude the same at the earliest, preferably on or before 30.11.2025, keeping in view long custody period of the petitioner.

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.

09.07.2025

(MANJARI NEHRU KAUL)

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JUDGE

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