



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

221

CRM-M No.20902 of 2024
DATE OF DECISION : 16TH JANUARY, 2025

Gurpreet alias Gabbar

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

* * * *

Present : Mr. Gurpal Singh Sandhu, Advocate for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

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MANJARI NEHRU KAUL, J. (Oral)

The petitioner has filed the second petition for seeking the concession of bail under Section 439 of the Cr.P.C. in case FIR No.56 dated 26.03.2022 under Section 22(c) of Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Lambi, District Sri Muktsar Sahib, Punjab.

2. Learned Counsel for the petitioner submits that even though the petitioner has been in custody since 26.03.2022 in a case of false implication, however, the trial has not concluded till date and hence on this ground alone he deserves the concession of bail as a delayed trial compromises with his constitutional right to speedy trial.

3. Learned State counsel while opposing the prayer and submissions made by learned counsel opposite, has not disputed the custody period of the petitioner. However, it has been submitted that the petitioner along with his brother co-accused were travelling together in a car when they were intercepted on suspicion; after due compliance of the



mandatory provisions of the NDPS Act a huge recovery, multiple times more than the minimum classified as commercial under the NDPS Act, i.e., 25000 tablets of Cypremol-100 SR, was made from beneath the seat on which the petitioner was seated in the car. The learned State counsel on further instructions has submitted that the trial is nearing conclusion as only one prosecution witness, out of 24 cited, remains to be examined and in all likelihood would be examined before the trial court on the adjourned date i.e., 17.01.2025. Learned State counsel has also placed on record the custody certificate of the petitioner and has submitted that the petitioner is involved in one other case under the NDPS Act. However, the said case is pending against the petitioner in the State of Rajasthan.

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

5. In view of the stage of the trial and the alleged recovery effected from the petitioner, this court does not deem it fit to extend the concession of bail to him. Accordingly, the present petition stands dismissed.

6. 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.

16th January, 2025
'raj'

(MANJARI NEHRU KAUL)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>