

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-37076-2014

Date of decision : 06.01.2015

Sukhchain Singh @ Sukhu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Ms.Sushma Verma, Advocate
for the petitioner.

REKHA MITTAL, J.(ORAL)

The petitioner prays for grant of regular bail in FIR No.74 dated 13.08.2013 registered in Police Station Bakshiwala, District Patiala for offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short 'the Act').

Counsel for the petitioner inter alia contends that a false FIR has been registered against the petitioner and he is in custody since August, 2013. It is further submitted that conclusion of trial is likely to take some time and the petitioner be released on bail during pendency of trial proceedings.

Notice of motion.

Mr.Gazi Mohammad, DAG, Punjab accepts notice on behalf of the State of Punjab. He has contested the prayer of the petitioner with the submissions, on instructions from ASI Buta Singh, Police Station Bakshiwala that the alleged recovery effected from the petitioner is

commercial in nature and trial is progressing well. It is further submitted that out of eight witnesses cited by the prosecution, seven have already been examined and case is now pending for 22.01.2015. It is further submitted that there are other criminal cases against him registered under the Act.

In reply, counsel for the petitioner submits that in one of the cases registered against him, he has been acquitted of the offence and in the other case, he has already undergone sentence awarded.

I have heard counsel for the parties and perused the records.

Keeping in view the provisions of Section 37 of the Act coupled with the factum that the petitioner has been convicted in two more cases registered under the Act, I do not think it to be a fit case where the petitioner deserves to be released on bail.

Dismissed.

(REKHA MITTAL)
JUDGE

January 06, 2015.
Davinder Kumar