

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

(212)

CRM-M-3804-2015

Decided on: December 14, 2015.

Sukhwinder Singh @ Sonu

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. C.S. Rana, Advocate, for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner had been granted concession of interim bail by this Court during pendency of awaiting report of Forensic Science Laboratory.

Report of FSL has been received indicating that the intoxicating powder recovered from the petitioner contained alprazolam.

I have considered the facts and circumstances of the case.

180 days expired on 05.10.2014 after the arrest of the petitioner in this case on 08.04.2014. It is an admitted fact that application for extension of period for presentation of challan was filed on 06.10.2014 when 180 days had already expired. The valuable right having accrued to the petitioner can not be denied by filing an application under Section 36-A of the NDPS Act as such application for bail filed under Section 167 (2) Cr.P.C on 09.10.2014 could have been allowed by the trial Court.

Petition is allowed. It is ordered that the petitioner who has been released on interim bail would be granted concession of bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court on the next date of hearing. It will be open to the petitioner to furnish surety bonds of the persons who had earlier stood surety for the petitioner subject to the conditions that the petitioner will not hamper the further proceedings by non-appearance before the trial Court in any manner and will not absent without any sufficient cause.

(M.M.S. BEDI)
JUDGE

December 14, 2015
harsha