

IN THE HIGH COURT OF PUNJAB AND HARYANA CHANDIGARH

203

CRM-M-10576-2016

Date of Decision: 24.08.2016

BOOTA SINGH

.....Petitioner

VS

STATE OF PUNJAB

.....Respondent

CORAM HON'BLE MR. JUSTICE MAHESH GROVER

Present: Mr.Veneet Sharma, Advocate for the petitioner.
Mr. Gaurav Garg Dhuriwala, DAG, Punjab.

MAHESH GROVER, J (ORAL)

This is a petition under Section 439 of the Code of Criminal Procedure praying for grant of regular bail in case FIR No. 54 dated 01.06.2014 under Sections 21,22 of the NDPS Act registered at Police Station Tarsikka, Amritsar Rural, District Amritsar where the petitioner was found to be in possession of 110 gms of intoxicating powder which upon analysis by the Chemical Examiner was stated to be Diphenoxylate Hydorchloride 2.5%.

Learned counsel for the petitioner contends that he has been in custody since 02.06.2015 and was enlarged on bail for a short period awaiting the Chemical Examiner's report. He contends that the trial is likely to take some time and, therefore, considering the period of custody undergone by him and the unlikelihood of the trial being concluded in the near future he would deserve the concession of bail.

The prayer is opposed by the respondents to contend that recovery of contraband from the petitioner stands established.

After hearing the leaned counsel for the parties and noticing the

fact that the petitioner is in custody since June 2015 and the trial has not progressed beyond recording of testimonies of two witnesses out of 11, I would deem it appropriate to grant the concession of bail to the petitioner.

Bail to the satisfaction of Chief Judicial Magistrate / Duty Magistrate Amritsar.

Petition stands allowed.

August 24, 2016

mamta

(Mahesh Grover)

Judge

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No