

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-11657-2016

Date of Decision: May 26, 2016

SURJIT SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

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

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

Ms. Harpreet Kaur Athwal, Deputy A.G., Punjab.

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

The petitioner, for having been found in possession of 100 grams of intoxicating powder, has been in custody w.e.f. 09.03.2016. He had been granted concession of interim bail during the period report of Forensic Science Laboratory had not been received.

Learned counsel for the petitioner submits that the petitioner has not misused the liberty granted and can be granted regular bail.

I have considered the contentions of the learned counsel for the petitioner. I am of the opinion that merely because interim bail had been granted to the petitioner to await the report of the Forensic Science Laboratory, which was not misused, it does not confer upon the petitioner a right to get the concession of regular bail. Keeping in view the commercial quantity of contraband having been recovered and the provisions of Section 37 of the NDPS Act, petitioner is not entitled to concession of bail at this stage. The petition is dismissed.

However, taking into consideration the fact that no prosecution witness has been examined till date, it is ordered that in case the prosecution agency is not able to produce all the witnesses within a period of 05 months from the next date of hearing fixed before it, the trial Court shall itself release the petitioner on bail on his furnishing bail bonds/surety bonds to its satisfaction.

The prosecution agency is directed to make earnest endeavour to produce the witnesses expeditiously.

(M.M.S. BEDI)
JUDGE

MAY 26, 2016
Rajneesh