

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

CRM M-16996 of 2016

Date of Decision : August 24, 2016

Buta Singh @ Makhan Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE T.P.S. MANN

Present : Mr. Sukhjit Singh, Advocate

Mr. Vikram Bishnoi, Asstt. A.G., Punjab.

T.P.S. MANN, J. (Oral)

This is the third petition filed by Buta Singh @ Makhan Singh petitioner for grant of bail during the pendency of the trial of the case, the first two having been dismissed on 29.8.2014 and 10.12.2015, respectively.

The petitioner is facing trial for committing offence punishable under Section 15 the Narcotic Drugs and Psychotropic Substances Act, 1985 for being found in possession of 175 kgs of poppy husk without having any permit or licence.

After obtaining instructions from ASI Malkiat Singh, learned State counsel has informed the Court that apart from ASI Satnam Singh, who was one of the members of the police party, which had apprehended the petitioner, the prosecution has already examined all its witnesses. Said ASI Satnam Singh was

summoned to appear before the trial Court by describing his Belt No. as 98 whereas it ought to have been 63/M. Now the trial stands adjourned to 30.8.2016, for which date the ASI Satnam Singh 63/M stands duly summoned.

Once the trial of the case has reached its fag end and also the fact that apart from the present case, the petitioner stands convicted in another case under Section 15 of the Narcotic Drugs and Psychotropic Substances Act, 1985 in FIR No. 43 dated 28.6.2013, Police Station Lambra, District Jalandhar, as reflected in the custody certificate produced by the learned State counsel, it would not be appropriate to grant the prayer made by him for his release on bail.

The petition is, accordingly, dismissed.

August 24, 2016
amit rana

(T.P.S. MANN)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No