

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

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**CRM-M-1997-2016
Date of Decision: March 15, 2016**

SANDEEP SINGHPETITIONER
VERSUS
STATE OF PUNJABRESPONDENT

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

Present: Ms.Satwant Mehta, Advocate for the petitioner.

Mr.Jashan Preet Singh, AAG, Punjab.

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

For having been found in possession of 150 grams of Diphenoxylate Hydrochloride(commercial quantity), the petitioner is in custody since 1.10.2015.

Counsel for the petitioner submits that the petitioner was granted concession of interim bail during awaiting period of chemical examiner report.

On asking of the Court, State counsel informs that no prosecution witness has been examined till date.

In view of the above said circumstances, striking a balance between statutory bar for grant of bail under Section 37 of the NDPS Act and the right of personal liberty of the petitioner, I deem it appropriate to dispose of this petition with a direction that trial Court shall make earnest endeavor to examine all the material witnesses within a period of five months after the next date of hearing. In case the prosecution agency is unable to produce all the witnesses within the said period, the trial Court shall release the petitioner on bail on his furnishing bail bonds/surety bonds to its satisfaction.

**March 15, 2016
TSG**

**(M.M.S.BEDI)
JUDGE**