

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

Criminal Misc. No. M-24438 of 2016

Date of Decision: 08.08.2016

Surjit Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Suresh Kumar Arya, Advocate
for the petitioner.

Mr. Gurinderjit Singh, DAG, Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition filed under Section 439 of the Code of Criminal Procedure, 1973 is for grant of regular bail to the petitioner in case FIR No.77 dated 15.6.2013 under Sections 15 NDPS Act registered at Police Station Passiana, District Patiala.

Learned counsel for the petitioner contends that the allegation against the petitioner and other three co-accused is of recovery of 55 kg. 200 gms. of poppy husk. However, the trial in the case is going on very slowly, as only 2 witnesses out of 11 prosecution witnesses have been examined so far. He further submits that there is no other case pending against the petitioner.

Learned State counsel has filed the custody certificate of the petitioner in Court which is taken on record. As per the custody certificate, there is no other case pending against the petitioner.

I have heard learned counsel for the parties.

Considering the fact that the alleged recovery made from the petitioner along with other three accused is marginally higher than the commercial quantity coupled with the fact that as against the total 11 witnesses cited by the prosecution, only 2 witnesses have been examined so far and thus, trial will take sufficiently long time, the present petition is allowed. Accordingly, the petitioner is admitted on regular bail subject to furnishing of his bail bonds/surety bonds to the satisfaction of the trial Court.

It is made clear that expression made hereinabove shall not be construed as any opinion on the merits of the case.

August 08, 2016
AK

(HARI PAL VERMA)
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No