

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-25788 of 2016

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Date of decision:4.8.2016

Gian Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Brahminder Singh Toor, Advocate for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab for the
respondent-State.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 439 Cr.P.C.
for grant of regular bail in case FIR No.145 dated 10.6.2015 registered for
the offences under Sections 21, 25 and 29 of the Narcotic Drugs and
Psychotropic Substances Act, 1985 (hereinafter referred to as 'the NDPS
Act') at Police Station City Barnala, District Barnala.

Notice of motion to Advocate General, Punjab.

Ms. Shivali, learned Assistant Advocate General, Punjab has
put in appearance on behalf of respondent-State and contested this petition.

I have heard learned counsel for the petitioner and learned

Assistant Advocate General, Punjab appearing for the respondent-State and

[2]

have gone through the record.

As per the prosecution version, 300 grams of heroin has been recovered from the present petitioner which falls in commercial quantity. As bar of Section 37 of the NDPS Act will apply in this case, therefore, I do not find it a fit case where the petitioner is entitled to the benefit of bail.

Therefore, in view of the above discussion, I do not find any merit in this petition and the same is dismissed.

As the present petitioner is stated to be in custody since 10.6.2015 and no statements of the witnesses have been recorded, therefore, the trial Court is directed to expedite the trial by giving short adjournments and even day to day adjournment if required. The Investigating Officer and SHO of the concerned Police Station are directed to produce the witnesses in the Court at the earliest.

August 4, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No