

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-26123-2015 (O&M).

Decided on: January 25, 2016.

Gurpawan Singh @ Pamma and another .. Petitioner(s)

VERSUS

State of Punjab .. Respondent(s)

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

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**PRESENT Mr.K.S.Dhaliwal, Advocate, for the petitioner.
Ms.Simsi Dhir Malhotra, DAG. Punjab.**

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

It has been informed that out of 12 witnesses cited by the prosecution, 5 witnesses have already been examined. The petitioners have been in custody w.e.f. 18.8.2014 allegedly for having been found in possession of 10 bags weighing 20 kgs. of each while travelling in a Car.

Counsel for the petitioners has submitted that there is patent violation of provisions of Section 50 of the NDPS Act, entitling the petitioners for acquittal, as such, they may be released on bail.

I have heard the counsel for the petitioners. Without entering into the niceties of the trial, this Court is of the opinion that the provisions of Section 37 of the NDPS Act, seem to be an obstacle in grant of bail to the petitioners. Period of detention suffered by the petitioners and the stage of the trial would however certainly be a matter of concern.

No ground is made out for the grant of concession of bail to the petitioners. The petition is dismissed. However, it is observed that in case the trial is not concluded within a period of six months after the next date of hearing fixed before the trial Court, it will be open to the petitioners to approach this Court again for the grant of bail. The Investigating Agency shall make earnest endeavour to produce the witnesses expeditiously.

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

January 25, 2016.

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