

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH.

214

CRM-M-2991-2016

Date of Decision: March 31, 2016

MATWINDER SINGH @ MANI

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

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

Present: Mr.Amit Dhawan, Advocate for the petitioner.

Mr.Jashan Preet Singh, AAG, Punjab.

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

For having been found in possession 120 grams of intoxicating powder containing Diphenoxylate Hydrochloride, the petitioner has been in custody w.e.f. 16.4.2015. One witness has been examined.

Counsel for the petitioner submits that the co-accused of the petitioner, who was riding pillion with 110 gram of similar intoxicating powder, has been granted bail. The co-accused of the petitioner has been granted bail under Section 167(2) of the Code of Criminal Procedure who had voluntary surrendered. Appreciating his conduct, the trial Court release of him on bail.

In view of commercial quantity of Diphenoxylate Hydrochloride having been received from the petitioner, the provisions of Section 37 of the NDPS Act are operative. No ground is made out to grant the concession of bail to the petitioner. Dismissed. However, in case all the witnesses of prosecution are not examined within a period of five months and trial is not concluded within a period of six months from the next date of hearing, the trial Court shall release the petitioner also on bail on his furnishing bail bonds and surety bonds on its own satisfaction.

March 31, 2016
TSG

(M.M.S.BEDI)
JUDGE