

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No.3040 of 2016 (O&M)
Date of Decision: 01.04.2016**

Sarbjit Singh @ Sabi

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by H.C. Maninderjit Singh.

JASWANT SINGH, J. (Oral)

Present 3rd petition is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Sarbjit Singh @ Sabi in case FIR No.53 dated 26.05.2014, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), registered with Police Station Fattu DHINGA, District Kapurthala (**Annexure P-1**).

There is a recovery of 80 grams of *Intoxicating Powder*, containing '*Diphenoxylate Hydrochloride*'. As per the FSL report, the quantity comes to be commercial in nature.

The petitioner was in custody from 26.05.2014 till 07.11.2014, when he was granted interim bail due to non-receipt of the FSL report. The petitioner surrendered on 20.01.2015 and is stated to be in custody since then.

It is submitted that the petitioner is not involved in any other criminal case.

Learned State Counsel, assisted by H.C. Maninderjit Singh, submits that 04 out of 11 prosecution witnesses have since been examined and the next date fixed is 06.04.2016.

It is not in dispute that remaining 07 witnesses are official witnesses.

Without commenting on the merits of the case, keeping in view the bar under Section 37 of the NDPS Act, no case for grant of regular bail to the petitioner is made out.

Accordingly, the present petition is dismissed. However, keeping in view the custody period of the petitioner, the trial Court is directed to ensure the conclusion of the trial within next three months from the next date of hearing.

April 01, 2016

Gagan

(JASWANT SINGH)
JUDGE