

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

CRM No. M-37253 of 2016

DECIDED ON: DECEMBER 07, 2016

FESTUS UGOCHUKWU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Rishabh Gupta, Advocate
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Section 439 Cr.P.C., petitioner has sought bail in case FIR No. 38, dated 11.03.2016, under Section 21 of NDPS Act, registered at Police Station Shambu, Patiala.

Allegation against the petitioner is that he was found in possession of 300 gms Heroin in the area of Village Mehmadpur, Police Station Shambu on March 11, 2016. After necessary formalities, contraband was taken into possession by converting into parcel. Petitioner was arrested in this then and there on March 11, 2016. The quantity of contraband alleged to have been recovered from the possession of the petitioner works out to be marginally more than non-commercial quantity.

On conclusion of investigation, report under Section 173(2) Cr.P.C. has already been presented in the Court of Judge, Special Court, Patiala and

now the said Court is seized of the trial. Conclusion of trial would take considerable time and it would not be desirable to keep the petitioner behind the bars for an indefinite period.

Taking into consideration the above-said aspect, instant petition is allowed. Petitioner is ordered to be released on bail at the satisfaction of learned trial Court, subject to the following conditions:

- (i) that he shall surrender his passport before the trial Court at the time of furnishing his bail/surety bonds;
- (ii) that he shall not leave India without the previous permission of the Court;
- (iii) that he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

DECEMBER 07, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*