

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

**CRM-M No.6768 of 2016 (O&M)
Date of Decision: 06.04.2016**

Surjit Singh @ Banta

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashish Aggarwal, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by ASI Manpreet Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner/accused-Surjit Singh @ Banta in case FIR No.84 dated 03.06.2014, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Sarhali, District Tarn Taran (**Annexure P-1**).

There is a recovery of 90 grams of *intoxicating powder*, containing *Diphenoxylate Hydrochloride* and the seized quantity is commercial in nature.

Learned Counsel for the petitioner submits that the petitioner was in custody from 03.06.2014 till 02.08.2014 and thereafter from 03.11.2015 to till today. He further submits that although the charges were framed on 03.11.2015, however, the evidence of 07 official prosecution witnesses is yet to commence.

Keeping in view the seized quantity being commercial in nature, no case for grant of regular bail to the petitioner is made out.

Accordingly, the present petition is dismissed. However, the SSP, Tarn Taran is directed to ensure the conclusion of the evidence of the official witnesses within three months from the next date of hearing.

April 06, 2016

Gagan

**(JASWANT SINGH)
JUDGE**