

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

CRM-M-35385-2017
Date of decision: 28.09.2017

Sumit Gori

.... Petitioner

versus

State of Punjab

.... Respondent

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Sahil Puri, Advocate
for the petitioner.

Mr. A.S.Dhaliwal, DAG, Punjab.

Hari Pal Verma, J.(Oral)

Prayer in this petition, filed under Section 439 Cr.PC is for grant of regular bail to the petitioner in case FIR No.43 dated 02.04.2016 under Sections 15/18/21/22 of NDPS Act,1985 and 61/1/14 of Excise Act registered at Police Station Sultanpur Lodhi, District Kapurthala.

Learned counsel for the petitioner states that the petitioner is in custody since 08.08.2017. Earlier to it, he remained in custody from 04.04.2016 to 12.05.2016 and was granted interim bail to await the FSL report. He further submits that the alleged recovery is of 60 grams Diphenoxylate Hydrochloride, which is slightly higher than the commercial one. There is no other case against him.

Learned State counsel has filed the custody certificate of the petitioner in Court, which is taken on record. According to the certificate, the petitioner is in custody for about 2 month and 27 days. He does not dispute the quantity of the alleged recovery.

Having heard learned counsel for the parties and considering the fact that the petitioner is in custody since 08.08.2017 and also remained in custody from 04.04.2016 to 12.05.2016 coupled with the fact that trial would take long time to conclude and no other case is pending against the petitioner, I deem it appropriate to release the petitioner on regular bail.

Accordingly, the present petition is allowed and the petitioner is admitted on regular bail, subject to furnishing of his bail bonds/surety bonds to the satisfaction of trial Court.

However, the observations made hereinabove shall not be construed as any expression on the merits of the case.

(HARI PAL VERMA)
JUDGE

28.09.2017
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1. Whether reportable?	Yes
2. Whether speaking/Non-speaking?	Yes/No