

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 211

CRM-M-4262-2017

Decided on : 22.05.2017

Maninder Singh @ Munshi

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.J.S.Sandhu, Advocate, for the petitioner(s).

Mr.Rupam Aggarwal, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Custody certificated filed on behalf of the State, in Court today, is ordered to be taken on record. Copy of the same has been handed over to counsel opposite.

Through this petition filed under Section 439 Cr.P.C., the petitioner seeks the concession of regular bail in FIR No.251, dated 20.11.2014, registered under Sections 22, 61 and 85 of the NDPS Act, at Police station Talwandi Sabo, District Bathinda.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in the case; he has been in custody for the last 2½ years and that the trial is not likely to conclude in the near future as four prosecution witnesses still remain to be examined.

Learned State counsel opposes the grant of bail to the petitioner on the ground that 2 litres of codeine phosphate which is double the prescribed commercial quantity has been recovered from the petitioner and that he already stands convicted in another case under the NDPS Act.

Learned State counsel further undertakes that, subject to the cooperation by

the petitioner, the State would conclude its entire evidence within two months from the next date fixed before the trial court.

In view of the fact that the petitioner, in another case under the NDPS Act, already stands convicted; that the recovery in this case is of 2 litres of codeine phosphate which is double the prescribed commercial quantity and that only four prosecution witnesses remain to be examined, I am of the opinion that the petitioner, at this stage, does not deserve to be released on regular bail.

However, in my opinion, it would be just and expedient to bind the State to the afore undertaking given on its behalf that the State would conclude its entire evidence within two months from the next date fixed before the trial court, of course subject to cooperation by the petitioner.

The petition stands disposed off accordingly.

It may be clarified that in case the State does not conclude its entire evidence within two months from the next date fixed before the trial court, the petitioner would be at liberty to revive his prayer for regular bail through a fresh petition.

22.05.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No