

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-45809-2016

Date of Decision: 13.01.2017

Renu alias Bevi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

INDERJIT SINGH, J.(Oral)

Petitioner has filed this 3rd petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.219 dated 09.12.2014, registered at Police Station Kapurthala, District Kapurthala, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for brevity, 'NDPS Act') and Section 61 of the Excise Act, 1914.

Notice of motion. On the asking of Court, Mr. Deep Singh, AAG, Punjab has accepted notice on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that earlier petition filed by the petitioner for regular bail has been dismissed by this Court vide order dated 27.07.2016 by holding that recovery of 110 grams of 'Diphenoxylate Hydrochloride' powder effected from the petitioner falls under commercial quantity and Section 37 of the NDPS Act bars the grant of bail to the accused in case of commercial quantity.

Keeping in view the fact that recovery effected from the petitioner falls under commercial quantity and Section 37 of the NDPS Act bars the grant of bail to the accused in case of commercial quantity, finding no merit in the present petition, the same is dismissed.

Trial Court has already been directed to expedite the disposal of the case vide order dated 27.07.2016 passed in CRM-M-14331-2016. However, it has been brought into my notice that since then, only one witness has been examined by the trial Court. Trial Court is again directed to dispose of the case at the earliest, preferably within three months from the next date fixed before it and send the report regarding disposal of the case. The investigating officer of this case is directed to produce the remaining witnesses in the trial Court on the next date or the dates fixed by the trial Court. SSP, Kapurthala is directed to look into the matter personally and ensure the presence of the witnesses for their examination before the trial Court without any delay. The court concerned be informed accordingly.

13.01.2017

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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