

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

CRM -M-8274 of 2017 (O&M)

Date of decision: 30.05.2017

Jasbir Singh @ Raju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Gopal Singh Nahel, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Jitendra Chauhan, J. (Oral)

By filing the present petition, under Section 439 of the Code of Criminal Procedure, the petitioner has sought regular bail in FIR No. 28 dated 05.04.2015, registered under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act'), at Police Station City Dhuri, District Sangrur.

It is contended that as per FIR, recovery of 93 bottles of corex were allegedly recovered from the petitioner whereas in the challan it has mentioned as Rexcof. He further states that in the statement of HC Sukhdev Singh, it has come that the sample of smack was sent for chemical examination. The petitioner is in custody since for more than two years.

On the other hand, the learned State counsel opposes the bail application.

Heard.

Considering the factual aspect of the matter regarding the recovery allegedly effected and the projection thereof in the challan and the statement of HC Sukhdev Singh with regard to sample; period of incarceration and the fact that out of total 14 PWs, only 02 PWs have been examined so far; the conclusion of trial will take a long time, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of trial, on his furnishing bail bonds and surety bonds to the satisfaction of the trial Court.

Anything said herein above shall not be construed as an expression of opinion on the merits of the case.

30.05.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No