

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

**CRM-M No.9789 of 2017
Date of Decision: 15.05.2017**

Manjit Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. O. P. Kamboj, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab
for the respondent-State.

DEEPAK SIBAL J. (ORAL)

Learned State counsel has filed custody certificate of the petitioner in Court today which is ordered to be taken on record. A copy of the same has been handed over to learned counsel for the petitioner.

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks grant of regular bail in FIR No.111, dated 12.09.2015, registered under Section 22 of NDPS Act, at Police Station Mamdot, District Ferozepur.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in this case; there is no other criminal case in which the petitioner is involved; the petitioner has been in custody for over 07 months and that the trial is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail on the ground that 200 gms of Diphenoxylate Hydrochloride has been recovered from the petitioner and that only 03 prosecution witnesses remain to be

examined before the trial Court. He undertakes that the prosecution shall conclude its evidence within three months from the next date fixed before the trial Court.

After considering the rival submissions, I am of the opinion that the ends of justice would be met, if the present petition is disposed of binding the State to the afore-referred undertaking given to this Court with regard to the conclusion of prosecution evidence, subject to the cooperation by the petitioner, within three months from the next date fixed before the trial Court.

The above direction is given as only three prosecution witnesses remain to be examined and the allegations against the petitioner are to the effect that he was allegedly found in possession of 200 gms of Diphenoxylate Hydrochloride, which is four times the prescribed commercial quantity.

The petition stands disposed of in the above terms.

It is clarified that in case the prosecution does not conclude its evidence within the above time frame, the petitioner shall be at liberty to revive his prayer for regular bail by moving a fresh petition.

May 15, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No