

Sr. No.221

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

CRM No. M-33128 of 2017 (O&M)

Date of Decision: 18.01.2018

Raja Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Gurpal S. Sandhu, Advocate,
for the petitioner.

Mr. S.S.Sandhu, AAG, Punjab.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks benefit of regular bail pending trial in case FIR No.153 dated 27.10.2016, under Sections 22,61,85 of the NDPS Act, registered at Police Station City Malout, District Sri Muktsar Sahib.

Petitioner was arrested on 27.10.2016 and as per prosecution version an alleged recovery of 960 tablets of Digifresh was effected. As per report of the Chemical Examiner 126 grams of Alprazolam has been found.

Investigation in the case is complete.

Challan stands presented and even charges were framed on 20.04.2017.

Learned State counsel concedes that till date the trial has not made any progress inasmuch as no prosecution witness has been examined.

The alleged recovery from the petitioner is marginally in excess of the commercial quantity.

Petitioner has faced incarceration since 27.10.2016.

Trial would take time to conclude.

The right of an accused to a fair and speedy trial cannot be over emphasized.

In the light of peculiar facts noticed hereinabove and without making any observations on merits, petitioner is held entitled to the benefit of bail.

Petition is allowed. Petitioner be enlarged on bail subject to satisfaction of the trial Court/Duty Magistrate, Sri Muktsar Sahib.

Disposed of.

18.01.2018

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned

Yes

Whether Reportable

No