

CRM-M-34405 of 2019 (O&M) 1

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

CRM-M-34405 of 2019 (O&M)

Date of Decision :29.10.2019

Arun Chana @ Sonu

....Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present : Mr. Gazi Mohd. Umair, Advocate for the petitioner

Mr. S.P.S.Tinna, Additional Advocate General, Punjab

ANIL KSHETARPAL, J.(ORAL)

Prayer is for grant of regular bail in FIR No. 59 dated 8.6.2017 registered under Section 22 of NDPS Act at Police Station City-1, Malerkotla, District Sangrur.

As per the case of the prosecution, petitioner was found in conscious possession of 32 vials of Corex each containing 100 ml having Lot No.620-13347K, Manufacturing date October 2016, Expiry date March, 2018 having ingredient Codeine Phosphate 8.62 mg/5 ml and 18 vials of Tossex each containing 100 ml having Batch no. TOS 7024, Manufacturing date March 2017, Expiry date Feb. 2010 having ingredient Codeine Phosphate 8.92 mg/5m and 6000 intoxicant tablets Marka Lomotil having lot No.03L7001, Manufacturing date March, 2017, Expiry date June 2018 having ingredient Diphenoxylate Hydrochloride 2.22 mg/tablets without any valid permit or license.

Learned State counsel on instructions from SI Gurmeet Singh has submitted that trial of the case has made substantial progress and prosecution has already recorded evidence of 9 prosecution witnesses out of total 16 proposed to be examined.

However, learned counsel for the petitioner submits that the investigating officer is not coming forward to record his statement. Whereas on the other hand, learned counsel for the State has submitted that examination in chief has been recorded on 7.5.2019. The case is now fixed for 5.11.2019.

Keeping in view the aforesaid facts, this Court is not inclined to grant concession of regular bail to the petitioner, however, Senior Superintendent of Police, District Sangrur is directed to ensure the presence of investigating officer ASI Major Singh and other witnesses on the next date of hearing i.e 5.11.2019 so as to facilitate expeditious disposal of the case.

Disposed of.

(ANIL KSHETARPAL)
JUDGE

29.10.2019
rekha

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