

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

**CRM-M No.46714 of 2018 (O&M)
Date of decision : 14.01.2019**

Surinder Singh

..... Petitioner

versus

U.T., Chandigarh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Ms. Simran Sandoya, Advocate
for the petitioner.

Mr. J.S.Toor, Addl. PP, U.T., Chandigarh.

AJAY TEWARI, J. (Oral)

This second petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.306 dated 24.07.2017 registered under Sections 21/22 of NDPS Act, 1985 and Sections 307/427/34 IPC at Police Station 39, Chandigarh.

Learned counsel for the petitioner states that the petitioner has been in custody for the last more than 1 ½ years in a case where there is an alleged recovery of 36 grams of heroin. There are glaring errors in the investigation which are apparent from the record and consequently the petitioner should be now released on bail in view of his custody since no other case is pending against him.

On the other hand learned Additional P.P. on instructions from S.I. Hardeep Singh points out that 16 witnesses have been examined and only 01 official witness remains. The case is fixed for 22.01.2019 and the

prosecution undertakes to examine the said witness on that date.

I find this to be a fair submission. In the circumstances, in view of the undertaking given by the learned Additional P.P., it is directed that in case the prosecution does not lead its entire evidence on the date fixed (subject to the accused not obstructing the same) the petitioner be released on bail to the satisfaction of the trial Court.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

14.01.2019

Pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No