

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

ANURADHA
20.07.17 16:45
I attest to the accuracy and
integrity of this document

**CRM-M-18517-2020
Date of Decision : 17.7.2020**

Surinder Singh @ Sunny

.....Petitioner

Versus

State of UT Chandigarh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Charanpreet Singh, Advocate
for the petitioner.

Mr. J.S.Toor, Sr. Standing counsel for UT.

AJAY TEWARI, J. (Oral)

1. This petition has been filed for grant of regular bail to the petitioner in case FIR No. 306 dated 24.7.2017 under Section 21 and 22 of NDPS Act, 1985 and under Sections 307, 34, 427 of IPC, 1860 P.S. Sector-39, Chandigarh.

2. Learned counsel for the petitioner has argued that the earlier bail petition was disposed of on 14.1.2019 whereby the bail was declined on the ground that the only one official remaining prosecution witness would be examined on 22.1.2019. Learned counsel states that thereafter petitioner has examined seven witnesses in defence but he is facing difficulty in examining them further because of the present situation. He has further argued that the applicant has undergone almost three years undertrial custody. No other case is pending against him under NDPS Act. In the present case recovery has been shown as 24 gms. of Pheneramine Mealate (which is slightly above the commercial quantity).

and 36 gms. of heroine which is non-commercial quantity.

3. Learned Standing counsel for UT Chanidgarh has accepted these factual assertions but has argued that the delay in the disposal of the case is because of the non-examination of defence witnesses.

4. Even though this fact is not disputed yet keeping in view the period of custody and the fact that the petitioner is not involved in other case, I do not deem it appropriate to deny the petitioner benefit of grant of regular bail. Bail to the satisfaction of the trial Court/Duty Magistrate.

5. Ordered accordingly.

6. Petition stands allowed.

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

(AJAY TEWARI)
JUDGE

17.7.2020
anuradha

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