

218 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-63095-2023 (O&M)

Date of Decision: 20.12.2023

MOHAMMAD MAKSOOD

...Petitioner

V/S

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Harish Sharma, Advocate
for the petitioner.

Mr. I.P.S. Sabharwal, DAG Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This is the first petition filed under Section 439 of Cr.P.C. seeking grant of regular bail to the petitioner in case bearing FIR No. 70 dated 22.10.2022 registered under Sections 18/61/85 of the NDPS Act at Police Station Sadar Kurali, District S.A.S. Nagar (Mohali).
2. Learned counsel for the petitioner submits that the petitioner is in custody since 22.10.2022 and the trial of the case is not making any progress.
3. Learned State counsel has filed the custody certificate and on instructions fro ASI Gurdev Singh submits that out of 14 cited prosecution witnesses, one PW has been given up by the trial Court andailable warrants have been issued to some of the witnesses and prosecution is making every endeavour to produce the witnesses without further delay.
4. Having heard the learned counsel for the petitioner and after perusing the record of the case, it transpires that 4 KG of Opium was recovered from the bag carried by the petitioner.

5. Keeping in view the facts and circumstances of the case and the recovery of commercial quantity of Opium from the possession of the petitioner, no ground is made out to allow the present petition and the same is hereby dismissed.
6. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and the trial Court shall proceed without being prejudiced by observations of this Court.

20.12.2023
Ajay Goswami

(HARPREET SINGH BRAR)
JUDGE

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