

238

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

CRM-M-36454-2023 (O&M)

Date of decision : 29.01.2024

Gurwinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. L.S. Lakhanpal, Advocate,
for the petitioner.

Mr. Jashanpreet Singh, DAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present second petition has been filed under Section 439 of the Code of Criminal Procedure for grant of bail pending trial to the petitioner in FIR No.197 dated 05.11.2019, under Section 22 of the Narcotic Drugs and Psychotropic Substances, Act, 1985 (for short, 'the NDPS Act'), at Police Station, City Hoshiarpur.

2. Allegations are that 9600 capsules of *Foridol*, 5600 capsules of *Simplex C+*; and 5475 tablets of *Becalm .05* were recovered from the petitioner.

3. Since recovery of alleged contraband is not only commercial, but too heavy; therefore, in view of Section 37 of the NDPS Act, this Court is not inclined to record twin test satisfaction in favour of the petitioner.

4. As a result thereof, present petition is disposed off with a request that learned trial Court shall proceed in the matter

expeditiously, without granting unnecessary adjournments to either of the parties and progress report be sent to the Registry by 31.03.2024.

4. Senior Superintendent of Police, Hoshiarpur as well as Superintendent, Central Jail, Hoshiarpur shall ensure that prosecution witnesses are produced well in time before the Court below.

5. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

6. Pending application(s), if any, shall also stand disposed off.

29.01.2024
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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No