

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-55770-2023

Date of decision: 24.01.2024

GURMUKH SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Mohan Singh Chauhan, Advocate
for the petitioner.

Mr. Dig Vijay Nagpal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. The instant petition is the 3rd petition, under Section 439 Cr.P.C, which has been filed for the grant of regular bail by the petitioner, in case FIR No.05 dated 20.01.2022, under Section 22 of the NDPS Act, 1985, registered at Police station Block Majri, District SAS Nagar, Mohli.
2. Learned State counsel on instructions, from the official respondent, submits that out of the total 11 prosecution witnesses cited in the final report, 04 prosecution witnesses have already been examined, and 03 prosecution witnesses have been given up. The remaining 04 prosecution witnesses are to be examined on 12.02.2024, before the learned trial Court concerned.
3. The alleged contraband as recovered from the petitioner falls within the ambit of commercial quantity, as prescribed under the NDPS Act. Though, the petitioner is not involved in any other case, but considering the fact that the weight of recovered contraband is 518.4 grams, which is much higher than the

commercial quantity as prescribed under the Schedule.

4. Considering the custody of the petitioner, which is above two years, the learned trial Court concerned, is directed to make efforts, to expedite the examination of the prosecution witnesses, preferably within 03 months from today.
5. Further the SSP concerned, is also directed to ensure the presence of the witnesses, as and when called by the learned trial Court concerned.
6. In view of the above, the instant petition is accordingly dismissed.

24.01.2024
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(KULDEEP TIWARI)
JUDGE

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