

Daljit Singh @ Man Vs. State of Punjab

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Court : Punjab and Haryana

Decided On : Jan-22-2014

Appellant : Daljit Singh @ Man

Respondent : State of Punjab

Judgement :

Criminal Misc.No.M-39532 of 2013 {1} IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH Criminal Misc.No.M-39532 of 2013 st Date of Decision: 21 January, 2014 Daljit Singh @ Man .Petitioner Versus State of Punjab .Respondent CORAM: HON'BLE Mr.JUSTICE NARESH KUMAR SANGHI Present: Mr.J.S.Virk & Mr.K.S.Sra, Advocates, for the petitioner.

Mr.K.S.Pannu, DAG, Punjab.

*** Naresh Kumar Sanghi, J.

Prayer in this petition is for grant of regular bail to the petitioner Daljit Singh alias Man who has been booked for having committed the offence punishable under Section 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985, in a case arising out of FIR No.89, dated 03.04.2013, registered at Police Station, City, Tarn Taran.

Learned counsel contends that according to the prosecution, 80 grams of powder was recovered from the petitioner; that the petitioner was granted bail by the learned Judge, Special Court, Tarn Taran, on 31.07.2013; that after receipt of the

report from the Chemical Examiner stating that the powder allegedly recovered from the petitioner was found to be methamphetamine, therefore, his bail was cancelled and he was taken into custody and since then, he is behind the bars. He further contends that the petitioner is neither required nor involved in any other case.

He also submits that in spite of several opportunities, the prosecution has not been able to lead its entire evidence, therefore, the conclusion of the trial would take sufficient long time.

Learned counsel for the State has not controverted the factual aspects raised by the learned counsel for the petitioner, however, submits that recovery of 80 grams of the powder allegedly recovered from the petitioner attracts the provisions of commercial quantity since the limit for non-commercial quantity of methamphetamine powder is 50 grams. I have heard the learned counsel for the parties and with their able assistance gone through the material available on record.

The petitioner was allegedly arrested on 03.07.2013 and admitted to bail by the learned Judge, Special Court, Tarn Taran, on 31.07.2013.

During the bail period, the petitioner did not misuse the said concession.

After receipt of the Chemical Examiner's report finding that the powder allegedly recovered from the petitioner was found to be methamphetamine, therefore, his bail was cancelled and taken into custody.

The trial is proceeding at snail's pace.

It would take sufficient time to conclude.

Sharma Seema 2014.01.23 10:17 I attest to the accuracy and integrity of this document Chandigarh Criminal Misc.No.M-39532 of 2013 {3} Without commenting much on the merits of the case, the present petition is allowed.

Petitioner- Daljit Singh @ Man, s/o Lakha Singh s/o Rattan Singh, r/o Dashmesh Colony, Tarn Taran, is ordered to be released on bail during the pendency of the trial of the present case subject to his furnishing bail bonds to the satisfaction of the learned trial Court.

January 21, 2014 (Naresh Kumar Sanghi) seema Judge Sharma Seema
2014.01.23 10:17 I attest to the accuracy and integrity of this document
Chandigarh

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