

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

**Crl. Misc. No.M-10144 of 2015
Date of decision : 29.06.2015**

Gurdev Singh

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. P.S. Hundal, Sr. Advocate with
Mr. Jashandeep Singh, Advocate
for the petitioner.

Mr. Gurdas Singh Salwara, DAG, Haryana.

ANITA CHAUDHRY, J.(ORAL)

This is the second petition filed by the petitioner seeking regular bail in FIR No.290 dated 28.10.2013, registered under Section 15 of the NDPS Act, Police Station Rai, District Sonapat.

Heard.

Learned counsel for the petitioner contends that the petitioner was not arrested on the spot and the car is not in his name and the allegations are that the car is in the name of his father and no attempt was made by the police to question the registered owner and the trial is taking time. He urges that the petitioner was arrested in May, 2013 and even after two years only 12 witnesses have been examined and it will take more time and bail be allowed to him.

The State counsel urges that 350 Kg. of poppy husk was recovered and the petitioner was driving the car and he managed to escape and the petitioner was not entitled to concession of regular bail.

The first petition of the petitioner had been dismissed in May, 2014 as the recovery was commercial. Even after a year, the prosecution has not been able to complete its evidence. Out of 23 witnesses, the prosecution has only examined 12 witnesses. The petitioner is in custody for last 2 years. The trial is taking long. Without commenting upon the merits of the case, the petition is allowed and the petitioner is directed to be released on regular bail on execution of adequate personal bonds and heavy surety to be determined by the trial Court and on furnishing his residence proof. The trial Court would also expedite the trial and complete the same within four months.

29.06.2015
sunil

(ANITA CHAUDHRY)
JUDGE