

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

**CRM-M-1615 of 2015
DATE OF DECISION : 28.01.2015**

Kala Singh @ Kali

.... Petitioner

Vs.

State of Punjab

.... Respondent

CORAM :- HON'BLE MR. JUSTICE M.M.S.BEDI

Present :-Mr.Sandeep Arora, Advocate
for the petitioner.

Mr. C.S. Brar, DAG, Punjab.

M.M.S.BEDI, J.(ORAL)

For having been found in possession of 228 kgs of poppy husk on 24.05.2012, the petitioner has been in custody from the said date. This is 4th application for bail on the ground that only 7 out of 11 witnesses have been examined.

I do not find any good ground to grant concession of bail to the petitioner, the recovery affected from the petitioner being of commercial quantity in view of bar created by Section 37 of NDPS Act. However, feeling concerned about the delay which is being caused by the prosecution agency in producing the prosecution witnesses , this petition is disposed of with a direction that prosecution agency shall make earnest endeavour to produce all the witnesses within a period of 3 months after next date of hearing.

The trial Court, taking into consideration the period of custody of the petitioner, shall also make endeavour to give short dates for conclusion of the trial.

In case the prosecution agency is not able to produce all the witnesses within a period of 3 months after the next date of hearing fixed before the trial court, it will be open to the petitioner to approach this Court again.

28.01.2015

Pooja Sharma-I

(M.M.S.BEDI)
JUDGE