

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

**Criminal Misc. No. M-25376 of 2015
Date of Decision: 11.8.2015**

Desh Raj

--Petitioner.

Vs.

State of Haryana

--Respondent.

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Achin Gupta, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 91 dated 8.2.2015 under Sections 15/81/61/85 of the NDPS Act (Sections 27-A of the NDPS Act was added later on) registered at Police Station Ratia, District Fatehabad.

Notice to the Advocate General, Haryana.

On the asking of the Court, Mr. Ashish Yadav, Additional A.G. Haryana accepts notice.

Learned counsel for the petitioner submits that the recovered contraband does not amount to commercial quantity. He further submits that petitioner is inside the jail for the last more than six months. He concluded by submitting that prosecution evidence is still going on because of which, petitioner is entitled for bail pending trial. He prays for allowing the present petition.

On the other hand, learned counsel for the State submits that there is no delay in the trial and it is about to conclude, because only four witnesses are left to be examined, who have been summoned for the next date of hearing, i.e. 13.8.2015. He further submits that since trial is about to conclude, petitioner is not entitled for the bail pending trial. He prays for dismissal of the present petition.

In view of the above and without commenting anything further on the merits of the case, at this stage, lest it should prejudice the rights of either of the parties, petitioner has not been found entitled for the bail pending trial. It is so said, because trial is about to conclude. No case of bail pending trial has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

11.8.2015
Ak Sharma