

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No. 3493 of 2015 (O&M)
Date of decision : February 06, 2015

Kuber Joshi @ Noni,

..... Petitioner

v.

State of Punjab,

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Atul Goyal, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.AG Punjab

1. **Whether Reporters of Local Newspapers may be allowed to see the judgment ?**
2. **To be referred to the Reporters or not ?**
3. **Whether the judgment should be reported in the Digest ?**

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.194, dated 6.11.2012, registered under Sections 22/61/85 of the NDPS Act, at Police Station SDR Khanna, District Khanna.

The petitioner was arrested and 200 grams of diphenoxylate powder was allegedly recovered from him.

Counsel for the petitioner has argued that the petitioner has now been in custody for 2 years and 3 months and that there is no earlier prospects of conclusion of the trial because only 3 out of 9 witnesses have been examined.

Counsel for the respondent, on instructions from HC Sukhdev

Singh, has not been able to deny this fact but states that in view of the recovery of commercial quantity, it would be appropriate to put a time cap on the trial. She further states that the prosecution will conclude its entire evidence within three months subject to the petitioner not obstructing the same.

I find this to be a fair solution. Consequently, this petition is dismissed and it is directed that in case the prosecution fails to conclude its evidence within three months, subject to the petitioner not obstructing the same, the trial Court will release the petitioner on bail to its satisfaction.

(AJAY TEWARI)
JUDGE

February 06, 2015
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