

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

**CRM-M-35218 of 2014 (O&M)
Date of Decision: 18.8.2015**

Avtar Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Dr. Anmol Rattan Sidhu, Senior Advocate with
Mr. Gagan Oberoi, Advocate
for the petitioner.

Mr. K.D.Sachdeva, Additional A.G. Punjab.

Mr. H.S.Bakshi, Advocate for respondent No.4.

Mr. Sanjay Kaushal, Sr. Advocate with
Mr. Arjun Shukla, Advocate
for respondent No.10.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 204 dated 30.7.2014 under Sections 18/61/85 of the NDPS Act, registered at Police Station Dera Bassi, District Mohali, Punjab.

Notice of motion was issued.

Learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the present case. He further submits that petitioner is inside the jail for the last more than one year. He also submits that since the prosecution evidence has just been concluded, conclusion of the trial will take some time. No useful purpose would be served in keeping the petitioner inside the jail any further. He prays for allowing the present petition.

AMIT KUMAR
2015.08.19 10:13
I attest to the accuracy and
authenticity of this document

Learned counsel for the State, on instructions from H.C. Gurnam Singh, submits that all the prosecution witnesses have already been examined and next date of hearing before the learned trial court is 24.8.2015 for recording the statements of the accused under Section 313 Cr.P.C. In this view of the matter, trial is about to conclude. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties at considerable length, after careful perusal of the record of the case and giving thoughtful consideration to the rival contentions raised, this Court is of the considered opinion that in the given fact situation of the present case, petitioner has not been found entitled for the concession of bail pending trial. It is so said, because commercial quantity was recovered from the petitioner and trial is about to conclude.

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, no case for bail pending trial has been made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

18.8.2015
Ak Sharma