

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

**C.R.M-M No.35184 of 2015 (O&M)
Date of Decision : 19.10.2015**

Samant @ Mithu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Vikram Sheoran, Advocate
for the petitioner.

Mr. S.S. Pannu, D.A.G., Haryana.

1. Whether Reporters of local papers 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)

This petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case F.I.R. No.180 dated 25.04.2015 registered under Sections 15, 25, 27-A of the NDPS Act, P.S. City Tohana, District Fatehabad.

Learned counsel for the petitioner states that in this case there are three accused and the recovery was of 75 kg of poppy husk and the petitioner has been in custody for almost 6 months.

Learned Deputy Advocate General on instructions from S.I.

Karan Singh has however argued that in the wake of recovery of

commercial quantity it would not be appropriate to release the petitioner on bail but the fact is that out of 12, 2 witnesses have already been examined and the remaining 10 witnesses are official witnesses and the prosecution will lead its entire evidence on or before 31.01.2016 and till such time the bail should not be granted to the petitioner.

I find this to be a fair submission. In the circumstances, in view of the undertaking given by the learned Deputy Advocate General, it is directed that in case the prosecution does not lead its entire evidence on or before 31.01.2016 (subject to the petitioner not obstructing the same), the petitioner be released on bail to the satisfaction of the trial Court.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

October 19, 2015

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**(AJAY TEWARI)
JUDGE**