

**Sr. No. 202
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-35548 of 2015
Date of Decision: 06.11.2015**

Maninder Singh

--Petitioner

Vs

The State of Punjab

--Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Swarn Tiwana, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 70 dated 06.07.2013 under Section 15, 61, 85 of Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS') and Sections 420, 411, 473 of Indian Penal Code (for short 'IPC') registered at Police Station Doraha, Ludhiana.

Learned counsel for the petitioner submits that the petitioner is inside the jail since 06.07.2013 and only two PWs have been examined so far, in spite of the fact that a period of more than two years has gone by. He also submits that at this speed of trial, it is not likely to be concluded in the near future. He prays for allowing the present petition.

On the other hand, learned State counsel on instructions from ASI Jagtar Singh, Police Station Doraha, Ludhiana, submits that in view of the totality of the facts and circumstances of the case, petitioner is not entitled for bail pending trial, at this stage. He prays

for dismissal of the present petition.

Having heard the learned counsel for the parties and after going through the record of the case, this Court is of the considered opinion that keeping in view the peculiar fact situation obtaining in the present case, petitioner has been found entitled for bail pending trial. Despite the lapse of more than a period of two years, only two PWs have been examined so far. No justification, whatsoever is forthcoming as to why the trial is being delayed in this manner. It is so said, because every accused has got a valuable right of speedy trial. At this speed of trial, it is not likely to be concluded in the near future.

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, instant petition is allowed. Petitioner is directed to be released on bail pending trial, on his furnishing adequate bail bonds/surety bonds to the satisfaction of learned trial Court.

Disposed of, accordingly.

(RAMESHWAR SINGH MALIK)
JUDGE

06.11.2015
vandana