

IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.

CRM-M No. 3770 of 2015. [O&M]
Date of Decision: 04th November, 2015.

Gurcharan Singh @ Channa Petitioner through
Mr. S.K.Chawla, Advocate

Versus

State of Punjab Respondent through
Ms. Reeta Kohli, Additional AG, Punjab
with Mr. Hanspal Virk, AAG, Punjab.

**CORAM:HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE P.B.BAJANTHRI**

- 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?**

SURYA KANT, J. [ORAL]

The petitioner seeks his release on bail in the case FIR No. 101 dated 28.08.2014, registered under Section 21 of the Narcotics Drugs and Psychotropic Substances Act, 1985 at Police Station, Sadar Faridkot.

As per the allegations contained in the FIR, the police party headed by ASI Harinder Singh who was In-charge of Anti Narcotic Cell, Faridkot, was patrolling in the area of village Hardialeana-Pipli when on suspicion a private jeep was stopped and search was carried out. The petitioner was allegedly driving that jeep and on search, 200 Grams intoxicant powder was recovered. The petitioner was arrested on the spot and the subject FIR was registered.

It is further averred that sample parcel was sent to the Forensic Science Laboratory, SAS Nagar Mohali and as per the Chemical Examiner's report dated 11.11.2014, the powder has been

found to be 'Alprazolam'. The contraband recovered from the petitioner is of 'commercial quantity'.

In the reply/affidavit, Deputy Superintendent of Police, Sub Division, Faridkot has explained that challan was presented on 27.01.2015, where-upon charges were framed against the petitioner on 20.02.2015 and the case was fixed for prosecution evidence at the time when reply was filed.

Learned State Counsel, on instructions informs that two prosecution witnesses have already been examined and remaining eight are also official witnesses. The trial is now stated to be fixed for 22.11.2015.

In the given circumstances, [i] Senior Superintendent of Police, Faridkot; [ii] Deputy Superintendent of Police, Sub Division, Faridkot and [iii] Investigating Officer are directed to ensure that the remaining official witnesses remain present in Court on 22.11.2015 and/or subsequent date as may be fixed by the learned trial Judge for their examination. Non-compliance would be viewed seriously. Learned Special Judge shall make an endeavour to conclude the trial as early as possible but not later than 28.02.2016, further subject to the opportunities that may be sought by petitioner to produce his defence evidence, if any.

Disposed of. Dasti.

(SURYA KANT)
JUDGE

November 04, 2015.

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(P.B.BAJANTHRI)
JUDGE