

**Sr. No. 213
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM No. M-8983 of 2015
Date of Decision: 03.09.2015**

Vinod alias Golu

--Petitioner

Vs

State of Haryana

--Respondent

CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present : Mr. Balraj Gujjar, Advocate,
for the petitioner.

Mr. Ashish Yadav, Additional A.G.Haryana.

RAMESHWAR SINGH MALIK J. (ORAL)

Petitioner seeks bail pending trial in FIR No. 123 dated 18.07.2011 under Sections 15, 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, (for short 'NDPS') registered at Police Station Siwani, District Bhiwani.

Learned counsel for the petitioner submits that although the petitioner was not arrested initially and thereafter, he was declared proclaimed offender yet he is inside the jail for the last about one year and trial is yet to conclude. He further submits that a similarly situated co-accused of petitioner has been granted bail by this Court. Because of which he is also entitled for the concession of bail. He prays for allowing the present petition.

On the other hand, learned State counsel on instructions from ASI Ram Kishan, Police Station Siwani, District Bhiwani submits that petitioner remained proclaimed offender for a period of about two years. He never surrendered before any authority but was

arrested by the police. So far as the stage of the trial is concerned, learned State counsel submits that only two witnesses are left to be examined and the next date of hearing before the learned trial Court is just tomorrow i.e. 04.09.2015. He prays for dismissal of the present petition.

Having heard the learned counsel for the parties, after careful perusal of the record of the case and giving thoughtful consideration to the 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, at this stage. It is so said, because, petitioner himself is responsible for delaying trial because he remained proclaimed offender for a period of about two years. Further, trial is about to conclude because next date of hearing is just tomorrow and only two PWs are left to be examined. The allegations are serious in nature.

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 is made out.

Dismissed.

(RAMESHWAR SINGH MALIK)
JUDGE

03.09.2015
vandana