

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

Crl.Misc. No.M-9796 of 2015
Date of Decision : 6.4.2015

Sushil Kumar @ Babbu

.....Petitioner

Vs.

State of Punjab

.....Respondent

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CORAM : HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

...

Present : Mr. S.S. Kainth, Advocate for the petitioner.

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1. To be referred to the Reporter or not ?
2. Whether the judgement should be reported in Digest ?

RAMESHWAR SINGH MALIK, J

Notice to A.G. Punjab.

At this stage, Mr. D.S. Virk, AAG, Punjab, accepts notice on behalf of the State.

Custody certificate by way of affidavit dated 6.4.2015 filed in the court today, is taken on record.

Learned counsel for the petitioner submits that the petitioner is inside the jail for the last more than one year. He further submits that the trial will still take long time in its conclusion. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from HC Ranjit Singh, Police Station Gobindgarh, submits that as per the custody certificate, petitioner has been found involved in three more FIRs. He

further submits that out of 10 PWs, 5 PWs have already been examined and the next date of hearing before the learned trial court is 22.4.2015. Trial is likely to conclude in the near future. He submits that since the commercial quantity has been recovered from the petitioner, he is not entitled for bail pending trial. He prays for dismissal of the petition.

Having heard 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 keeping in view the peculiar facts and circumstances of the case noticed herein above, petitioner is not entitled for bail pending trial. It is so said because commercial quantity has been recovered from the petitioner i.e. 700 tablets as specified in the FIR. The FIR is of January 2014. Trial has not been unduly delayed. Out of 10 PWs, 5 PWs have already been examined and the next date of hearing before the learned trial court is 22.4.2015.

In view of the above, no case for bail pending trial is made out.

Dismissed.

6.4.2015
GS

(RAMESHWAR SINGH MALIK)
JUDGE