

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

CRM-M-9978-2015

Date of decision: 05.05.2015

Ajay Kumar @ Sadhu

... Petitioner

Vs.

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG, Haryana.

RAMESHWAR SINGH MALIK, J. (ORAL)

Petitioner seeks bail pending trial in FIR No.556 dated 14.09.2014 under Sections 15, 25, 27A, 61, 85 of NDPS Act, registered at Police Station Sadar, District Fatehabad.

Notice to Advocate General, Haryana.

Mr. Ashish Yadav, Addl. AG, Haryana accepts notice.

Learned counsel for the petitioner submits that recovery was effected from three persons. It was a non-commercial quantity. He further submits that since the prosecution evidence is still going on, trial is not likely to conclude in the near future. He also submits that petitioner is not involved in any other FIR under the NDPS Act. He prays for allowing the present petition.

On the other hand, learned counsel for the State, on instructions from ASI Ishwar Singh, Police Station Sadar, District Fatehabad, submits that out of total 13 prosecution witnesses, 11 have already been examined

and only two PWs are left to be examined. The next date of hearing before the learned trial Court is 21.05.2015. Thus, he submits that the trial is about to conclude and in this view of the matter, petitioner is not entitled for bail pending trial, at this stage.

Having heard the 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 in view of the stage of trial which is likely to be concluded in the near future, petitioner has not been found entitled for bail pending trial, at this stage.

Dismissed.

[RAMESHWAR SINGH MALIK]
JUDGE

05.05.2015
vishnu