

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

**C.R.M-M No.12264 of 2016
Date of Decision : 12.07.2016**

Anil Kumar

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. B.S. Jatana, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

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?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 439 Cr.P.C. for
grant of regular bail to the petitioner in case FIR No.160 dated

15.10.2014, registered under Sections 18, 61, 85 of the N.D.P.S. Act, at

Police Station Passiana, District Patiala.

On 21.04.2016 the following order was passed:-

“It has been argued that out of nine, only one prosecution witness has been examined in this case of recovery of 12 kg of opium from the petitioner, who is in custody w.e.f. 15.10.2014.

Notice to the Advocate General, Punjab for 12.07.2016.

The prosecution shall meanwhile make earnest endeavour to ensure the production of maximum number of prosecution witnesses by next date of hearing.”

Today the learned Additional Advocate General on instructions from ASI Palwinder Singh undertakes that the prosecution will lead its entire evidence on or before 30.09.2016 and till such time bail should not be granted to the petitioner.

I find this to be a fair submission. In the circumstances, in view of the undertaking given by the learned Additional Advocate General, it is directed that in case the prosecution does not lead its entire evidence on or before 30.09.2016 (subject to the accused not obstructing the same), the petitioner be released on bail to the satisfaction of the trial Court.

Petition stands disposed of in the above terms.

CRM-M No.12264 of 2016

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Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

July 12, 2016
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(AJAY TEWARI)
JUDGE