

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

(206)

CRM-M-12386-2016

Decided on: July 28, 2016.

Vijay

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Jasbir Mor, Advocate, for the petitioner.

Mr. C.S. Bakhshi, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner has been in custody w.e.f. 28.03.2015 in a case of recovery of 28 bags of 'ganja' weighing 25 kgs each containing total quantity of 700 kgs of 'ganja'. The petitioner was arrested from the spot along with the bag.

Learned counsel for the petitioner submits that as a matter of fact the petitioner along with others had gone to Agra to assess value of the body parts for chesis of a new truck purchased by him and while on their way back, they got lift in a truck which was unfortunately caught and contraband was recovered.

The plea of defence of the petitioner and his grievance that he has been falsely implicated, cannot be considered at this stage for granting bail to the petitioner. No doubt, he has been in custody w.e.f. 28.03.2015 and only one witness out of sixteen stand examined till date.

I do not find any ground to grant bail to the petitioner in the light of provisions of Section 37 of the NDPS Act. However, taking into consideration the period of his detention and only prosecution witness having been examined till date, this petition is disposed of at this stage with a direction that the trial Court shall make an earnest endeavour to conclude the recording of evidence of the prosecution witnesses within a period of four months from the next date of hearing and decide the case expeditiously after giving fair opportunity to the petitioner to produce his defence evidence.

Disposed of with above direction without prejudice to the right of the petitioner to approach this Court again in case the trial is not concluded within a period of four months.

Learned counsel for the petitioner at this stage submits that in bail application filed by the co-accused similar directions have already been given. This petition is disposed of with a direction to the trial Court to comply with the directions passed in this case as well as in any other case, if any.

(M.M.S. BEDI)
JUDGE

July 28, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No