

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

CRM-M No. 14997 of 2016
Date of decision : August 01, 2016

Rakesh Kumar @ Rocky

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. AS Sekhon, Advocate
for the petitioner.

Mr. KS Pannu, DAG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.70, dated 29.05.2015, registered under Sections 22, 61, 85 of the NDPS Act, at Police Station City Kotkapura, District Faridkot.

Counsel for the petitioner has argued that apart from the merits of the case, the alleged recovery is just above the commercial quantity, the petitioner has now been in custody for 1 year and seven months and, therefore, should be released on bail.

Counsel for the respondent, on instructions from HC Tej Singh, states that keeping in view the nature of the offence, instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial. He has stated that 5 out of 12 witnesses have been examined and the prosecution will lead its entire evidence on or before 30.9.2016 subject to the accused not obstructing the same.

Keeping in view the statement of counsel for the respondent, I dismiss this petition at this stage but direct the trial Court to release the petitioner on bail in case the prosecution fails to conclude the evidence on or before 30.9.2016 subject to the accused not obstructing the same.

August 01, 2016
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No