

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

**CRM-M No.15332 of 2016 (O&M)
Date of Decision: 10.05.2016**

Rakesh Kumar @ Rakesh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Karan Choudhary, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Mitar Mann Singh.

JASWANT SINGH, J. (Oral)

The prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner-Rakesh Kumar @ Rakesh in case FIR No.38 dated 22.05.2014, under Sections 21-61-85 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Sadar, Batala.

There is alleged recovery of 150 grams of *intoxicating powder*, which as per the FSL report contains *Diphenoxylate Hydrochloride* and is commercial in nature.

The petitioner is stated to be in custody since 22.05.2014 and not involved in any other case.

Learned State Counsel, assisted by HC Mitar Mann Singh, does not dispute the custody period, non-involvement of the petitioner in any other case and further states that 04 out of 08 prosecution witnesses have been examined.

At this stage, learned Counsel for the petitioner prays for permission to withdraw the present petition, however, prays for a direction for the early conclusion of the trial in the light of the custody period of the petitioner.

In view of the above, the present petition is dismissed, however, the SSP concerned is directed to ensure the conclusion of remaining prosecution evidence within two months from the next date of hearing.

May 10, 2016

Gagan

**(JASWANT SINGH)
JUDGE**