

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

**Criminal Misc.No.M-16144 of 2016 (O&M)
Date of Decision : 07th October, 2016**

Goldi Kumar

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Pardeep Kumar, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the respondent(s)-State.

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.12 dated 01.02.2016 registered under Section 15 of the Narcotic Drugs & Psychotropic Substances Act, 1985, at Police Station Dharamgarh, District Sangrur.

On 29.09.2016, this Court passed the following order:-

“Learned counsel for the petitioner has argued that the petitioner is in custody for the last seven months and the recovery effected from the petitioner is 56 kg. Poppy husk which is marginally above the commercial quantity.

Learned State counsel, on instructions, has stated that the trial is at final stage as 10 prosecution witnesses have been examined and only two remains to be examined. She has further stated that since the recovery is of commercial quantity and only two witnesses remain to be examined, instead of releasing the petitioner on bail, it would be appropriate to put

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a time cap on the trial, and prays for an adjournment to place on record affidavit of the Senior Superintendent of Police, Sangrur, to the effect that the prosecution will conclude its entire evidence by 27.10.2016.

Adjourned to 29.09.2016.”

In compliance of aforesaid order, short affidavit of Pritpal Singh Thind, PPS, Senior Superintendent of Police, District Sangrur has been filed. Same is taken on record.

In view of said affidavit, learned State counsel undertakes to conclude the prosecution evidence by 27.10.2016.

In the circumstances, in view of the undertaking given by the learned State counsel, it is directed that in case the prosecution does not lead its entire evidence on or before 27.10.2016 (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.

(AJAY TEWARI)
JUDGE

07th October, 2016

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Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No