

CRM-M No.17186 of 2016

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

**C.R.M-M No.17186 of 2016
Date of Decision : 02.08.2016**

Gurbaj Singh @ Sonu

..... Petitioner

versus

State of Haryana

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Navkiran Singh, Advocate
for the petitioner.

Mr. Satish Saini, D.A.G., Haryana.

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.531 dated 31.07.2015 registered under Sections 18/61/85 of the N.D.P.S. Act, at Police Station Sadar Karnal, District Karnal.

Learned counsel for the petitioner has argued that as per the FIR the petitioner was stated to be the owner of the truck sitting beside the driver but that fact has been proven to be not false and in the

circumstances the conscious possession by the petitioner is a debatable issue and that the petitioner has now been in custody for 1 year.

Today the learned Deputy Advocate General on instructions from ASI Bhartu Ram has accepted this argument but states that in any case since all the witnesses are prosecution witnesses they all will be examined at the earliest and some time cap should be put on trial 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 31.03.2017 (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.

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

August 02, 2016
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No