

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

**(120)**

**CRM-M-18010-2016**

**Decided on: June 01, 2016.**

**Sukhcharan Singh**

**.... Petitioner**

**Versus**

**State of Punjab**

**..... Respondent**

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

Present: Mr. Ravi Sodhi, Advocate, for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

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

The petitioner along with his co-accused was allegedly found carrying 9 kgs of heroin and cash of Rs. 7 lacs.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for extraneous reasons. He strongly relies upon Annexure P-6 resolution passed by the panchayat to contend that the petitioner was arrested from his house and has been falsely implicated.

I have considered the contentions of learned counsel for the petitioner.

It is a case of recovery of commercial quantity. The provisions of Section 37 of the NDPS Act are operative. The petitioner may have a good defence to rebut the story of the prosecution.

Taking into consideration the fact that the petitioner has been in custody w.e.f. 07.09.2014 and only two out of thirteen prosecution witnesses having been examined, in the interest of justice, I deem it

appropriate to dispose of this petition with a direction to the trial Court to conclude the trial by recording the statements of all the remaining prosecution witnesses within a period of four months after the next date of hearing. In case, the trial is not concluded within the period of six months after the next date of hearing, the petitioner would be entitled for grant of bail.

**(M.M.S. BEDI)**  
**JUDGE**

**June 01, 2016**  
*harsha*