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

CRM-M-2469 of 2016

Date of decision: June 02, 2016

Kulwant Singh @ Kanti

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE A.B. CHAUDHARI**

Present: Mr. Pradeep Virk, Advocate
for the petitioner.

Ms. Reita Kohli, Addl. AG Punjab with
Mr. Hanspal Virk, Advocate.

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

SURYA KANT, J. (Oral)

In this petition under section 439 of Code of Criminal Procedure, 1973 (for short 'Cr. P.C.', the petitioner seeks regular bail in case FIR No.45 dated 03.03.2013, under Sections 18, 21, 22, 25A, 27, 27A, 29, 61, 85 of the Narcotic Drugs and Psychotropic Substance Act, 1985 (for short 'NDPS Act'), Sections 25/54/59A of Arms Act, 1959 (for short 'Arms Act') and Sections 420, 465, 467, 468, 471, 201 and 120-B of Indian Penal Code, 1860 ('for short 'IPC'), registered at Police Station Fatehgarh Sahib.

In continuation of order dated 12.05.2016, we are informed that the trial is going on day to day basis and 24 witnesses have been bound-down.

Learned counsel for the petitioner, however, points out that the copies of the examination-in-chief are not being supplied to them due to which their right to cross-examine the witnesses is being affected.

The request made by learned counsel appears to be just and fair. Learned Presiding Officer shall ensure that before the witnesses are cross-examined, copies of examination-in-chief are duly made available to the accused through their respective counsel. If need be, the cross-examination can be deferred for a day or so. Similarly, wherever the learned Presiding Officer deems it appropriate that the record sought to be summoned by the petitioner is relevant and such record is not available with the Investigating officer, he shall be at liberty to direct the officer/authority in whose custody such record lies, to produce the same.

Since the trial is now likely to be concluded within a reasonable time, no case to release the petitioner on bail, at this stage, is made out.

Dismissed.

The Registrar Judicial is directed to e-mail/fax this order to the concerned Court.

[SURYA KANT]
JUDGE

[A.B. CHAUDHARI]
JUDGE

June 02, 2016

mahavir