

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

CRM-M No. 25976 of 2016
Date of decision : August 12, 2016

Nirdosh Sharma,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. GS Kaura, Advocate
for the petitioner.

Mr. KS Pannu, DAG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.8,
dated 12.01.2013, registered under Sections 15/25/61/85 of the NDPS
Act, at Police Station Passiana, District Patiala.

Counsel for the petitioner has argued that at best the
petitioner can be held guilty under Section 20 of the NDPS Act; he was
not arrested from the spot; he has now been in custody since 29.11.2015

and, therefore, should be released on bail.

Counsel for the respondent, on instructions from SI Didar Singh, states that the question whether the petitioner is guilty under Section 15 or 20 of the NDPS Act would be seen after the conclusion of the trial but has accepted that he was not arrested from the spot and it was the co-accused who were arrested from the spot. He, however, submits that keeping in view the nature of the offence, instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial. He has stated that the prosecution will lead its entire evidence on or before 11.11.2016 subject to the accused not obstructing the same.

Keeping in view the statement of counsel for the respondent, I dismiss this petition at this stage but direct the trial Court to release the petitioner on bail in case the prosecution fails to conclude the evidence on or before 11.11.2016 subject to the accused not obstructing the same.

August 12, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No