

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

**CRM-28261-2016 in/and  
CRM-M No.28687 of 2016 (O&M)  
Date of decision : 07.11.2016**

Dhan Raj @ Ram Dhan

..... Petitioner

versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

Present : Mr. P.B.Sidhu, Advocate for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

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**AJAY TEWARI, J. (Oral)**

**CRM-28261-2016**

For the reasons recorded, application is allowed. Document  
(Annexure P-1) is taken on record.

**CRM-M No.28687 of 2016**

This petition has been filed under Section 439 Cr.P.C. for grant  
of regular bail to the petitioner in case F.I.R. No.49 dated 17.05.2015  
registered under Sections 22/61/85 of NDPS Act at Police Station Bahaw  
Wala, District Fazilka.

On 26.09.2016 the following order was passed :-

*“The petitioner seeks grant of regular bail.*

*As per allegations, 50 bottles of Rexcof each containing  
100 ml and 3 kgs of intoxicating powder were recovered from  
the petitioner.*

*Counsel for the petitioner has argued that there are  
glaring infirmities in the case, and the petitioner has now been*

*in custody for the last six months.*

*Learned DAG Punjab states that since the recovery is of commercial quantity and only five official witnesses remain to be examined, instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial, and prays for an adjournment to place on record affidavit of the Senior Superintendent of Police, Fazilka to the effect that the prosecution will conclude its entire evidence within two months from today subject to the accused not obstructing the same.*

*Adjourned to 18.10.2016.”*

Today the affidavit of Dr. Narinder Bhargav, Senior Superintendent of Police, Fazilka, District Fazilka on behalf of the respondent-State has been filed and the same is taken on record, as per which the prosecution undertakes to conclude its entire evidence on or before 26.11.2016 (subject to the accused not obstructing the same).

In the circumstances, the present petition is dismissed. In view of this undertaking it is directed that in case the prosecution does not conclude its evidence in the manner indicated above, the Court shall release the petitioner on bail on 26.11.2016 to its satisfaction.

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.

( **AJAY TEWARI** )  
**JUDGE**

**07.11.2016**

*Pooja sharma-I*

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No