

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

CRM-M No. 29251 of 2016
Date of decision : November 30, 2016

Gurmeet Singh,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ashok Kumar Sama, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.05, dated 15.02.2011, registered under Sections 15, 61, 85 of the NDPS Act, and Sections 307, 332, 353, 186, 34 of the IPC, at Police Station Badhni Kalan, District Moga.

Counsel for the petitioner has argued that the alleged recovery in this case is 23 bags of poppy husk, and the petitioner has now been in custody for two years and more than ten months and,

therefore, should be released on bail.

Custody certificate by way of affidavit of Ajmer Singh, Superintendent, Central Jail, Ferozepur, has been filed, as per which the petitioner has undergone 2 years 10 months and 8 days of custody. Learned Addl. AG Punjab, on instructions from ASI Gurdev Singh, though has accepted that there is long custody but states that keeping in view the details as mentioned in the custody certificate, instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial. She has stated that the prosecution will lead its entire evidence within three months 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 28.02.2017 subject to the accused not obstructing the same.

Copy of this order be sent to the SSP Moga forthwith.

November 30, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No

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