

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

(223)

CRM-M-31790-2015

Decided on: April 05, 2016.

Ashok Kumar @ Shoki

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. A.S. Sullar, Advocate, for the petitioner.

Mr. Gurdas Singh Salwara, DAG, Haryana.

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

The petitioner has been in custody w.e.f. 13.03.2015 in a case of recovery of 1 kg 400 grams of charas.

On asking of the Court regarding progress of the trial, it has been informed that out of nineteen prosecution witnesses, only three witnesses stand examined.

The quantity recovered from the petitioner falls in the category of commercial quantity.

Striking a balance between the right of the petitioner for expeditious trial and the right of the prosecution agency to ensure that the petitioner is available as and when the evidence is produced against him, this petition is disposed of at this stage with a direction to the trial Court that in case all the prosecution witnesses are not examined within a period of four months from the next date of hearing, it will be open to the trial Court to grant concession of bail to the petitioner irrespective of the fact that the petition for regular bail has been disposed of by this Court in abovesaid manner.

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

April 05, 2016
harsha