

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

CRM-M No. 3567 of 2016 (O&M)

Date of Decision: 24.02.2016

Avtar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Ashok Giri, Advocate
for the petitioner.

Mz. Rimplejeet Kaur, AAG, Punjab
for the respondent/State assisted by ASI Sartaj Singh.

JASWANT SINGH, J. (ORAL)

Prayer is for grant of regular bail on behalf of the accused/petitioner in case FIR No. 264, dated 01.11.2014, for offences punishable under Sections 15/61/85, Narcotic Drugs and Psychotropic Substances Act, registered at Police Station Dera Bassi, District SAS Nagar, Mohali.

There is a recovery of 100 kgs. of poppy husk from the conscious possession of the petitioner and his co-accused/non-applicant-Piara Singh, while travelling in a car. The said quantity is concededly commercial in nature.

The petitioner is stated to be in custody since 01.11.2014.

Learned State Counsel, assisted by ASI Sartaj Singh, states that only four, out of fourteen prosecution witnesses have been examined so far.

Learned counsel for the petitioner submits that since last five months, none of the prosecution witnesses have been examined by

the prosecution on many dates fixed. He, however, prays for permission to withdraw the present petition in the light of bar under Section 37 of Narcotic Drugs and Psychotropic Substances Act.

Dismissed as withdrawn.

However, the prosecution is directed to conclude its entire evidence within next three months from the next date of hearing, failing which the petitioner would be entitled to maintain a petition for grant of bail, provided he is not responsible for causing delay in concluding of prosecution evidence.

February 24, 2016

'dk kamra'

**(JASWANT SINGH)
JUDGE**