

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

Date of decision : December 09, 2016

1. CRM-M No.37362 of 2016

Kunal Sharma vs State of Punjab

2. CRM-M No.3792 of 2016

Jaswinder Singh @ Kaka vs State of Punjab

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Anterpreet Singh, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

This order shall dispose of the aforesaid both the petitions.

The petitioners seek grant of regular bail in case FIR No.43,
dated 26.5.2015, registered under Sections 21, 22, 61, 85 of the NDPS
Act, at Police Station City Banga, District SBS Nagar.

On the last date, the following order was passed in CRM-M

No.37362 of 2016 :-

“ The instant petition is for grant of regular bail.
Custody certificate by way of affidavit of Rajiv
Kumar Arora, PPS, Superintendent, Borstal Jail,

Ludhiana has been filed. Same is taken on record.

Learned counsel for the petitioner states that the petitioner has been in custody 05.07.2016.

Learned State counsel, on instructions, states that since 11 prosecution witnesses remain to be examined, it would be appropriate to put a time cap on the trial and prays for an adjournment to place on record the affidavit of Senior Superintendent of Police, Shaheed Bhagat Singh Nagar, to the effect that the prosecution will conclude its entire evidence on or before 31.01.2017 subject to the accused not obstructing the same.

Adjourned to 09.12.2016.”

Learned Addl. AG Punjab states that though the affidavit has not been received by her but she has instructions to state that the prosecution will conclude the entire evidence on or before 31.1.2017 subject to the accused not obstructing the same.

Keeping in view the statement of counsel for the respondent, I dismiss these petitions at this stage but direct the trial Court to release the petitioners on bail in case the prosecution fails to conclude the evidence on or before 31.1.2017 subject to the accused not obstructing the same.

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

December 09, 2016

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(AJAY TEWARI)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No

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