

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

CRM-M No.41724 of 2016 (O&M)  
**Date of decision : 28.11.2016**

Rakesh Kumar

..... Petitioner

versus

State of Punjab

..... Respondent

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

Present : Mrs. K.K.Kahlon, Advocate  
for the petitioner.

Mr. Ashish Sanghi, DAG, Punjab.

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

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.48 dated 06.06.2015 registered under Sections 22/61/85 of NDPS Act at Police Station Muakndpur, District Shahid Bhagat Singh Nagar.

Custody certificate by way of affidavit of Joginder Singh, PPS, Superintendent, Central Jail Ludhiana on behalf of State has been filed and the same is taken on record.

Learned counsel for the petitioner has argued that the recovery is marginally above the commercial quantity and the petitioner has been in custody since 06.06.2015.

Learned Deputy Advocate General on instructions from H.C. Kuldeep Singh states that since the recovery is of commercial quantity, instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial and in case the petitioner does not obstruct the trial the

prosecution will lead its entire evidence on or before 28.02.2017 and till such time the bail should not be granted to the petitioner.

I find this to be a fair submission. In the circumstances, in view of the undertaking given by the learned Deputy Advocate General, it is directed that in case the prosecution does not lead its entire evidence on or before 28.02.2017 (subject to the accused not obstructing the same) the petitioner be released on bail to the satisfaction of the trial Court.

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.

Registry is directed to send a copy of this order to S.S.P. Shahid Bhagat Singh Nagar.

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

**28.11.2016**  
*Pooja sharma-I*

Whether speaking/reasoned Yes/No

Whether Reportable : Yes/No