

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

CRM-M No. 43049 of 2016
Date of decision : December 09, 2016

Sandeep Kumar

..... Petitioner

v.

The State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Kartik Gupta, Advocate
for the petitioner.

Mr. KS Pannu, DAG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of regular bail in case FIR No.19, dated 21.4.2015, registered under Sections 22, 61, 85 of the NDPS Act, at Police Station Gardhiwal, District Hoshiarpur.

Counsel for the petitioner states that originally petition for bail was filed but on 29.8.2016 it was dismissed on the ground that the entire prosecution evidence had been concluded. However, thereafter the prosecution moved an application under Section 311 of the Cr.P.C on

29.9.2016 which was allowed and thereafter that witness has not been examined.

Learned DAG Punjab states that the witness who was permitted to be examined under Section 311 of the Cr.P.C was to be examined today in Court but the learned Presiding Officer being on leave the matter has been adjourned to 20.12.2016 and that witness, namely, SI Karnail Singh would definitely be examined on the said date.

Consequently, this petition is dismissed but the trial Court is directed to release the petitioner on bail in case the said witness does not present himself on the date fixed for giving his testimony.

December 09, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No