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

CRM-M-43852 of 2016

Date of decision: December 13, 2016

Frank Moses

.....Petitioner

Versus

State of U.T., Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Mohit Garg, Advocate for the petitioner.

Mr. Anil Kumar, Advocate for the respondent.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

It is not in dispute that the petitioner is a Nigerian citizen and is facing prosecution under the NDPS Act. The learned trial Court granted him statutory bail under Section 167(2) of Cr. P.C. Now, the grievance made by the learned counsel for the petitioner is that the petitioner can furnish cash security for the obvious reason that he is not an Indian citizen and would not be able to furnish any other security and therefore, he may be allowed to furnish security in the sum of ₹25,000/-.

This Court vide order dated 08.12.2016 issued notice of motion raising four queries to U.T., Chandigarh. Now, learned counsel for the U.T., Chandigarh, in answer to first query, makes a statement that the passport of the petitioner has not been deposited.

He also states that the trial is on and 7 witnesses have already been

examined and 5 are remaining to be done and the next date of hearing before the trial Court is 03.01.2017.

In my opinion, looking to the entire controversy and looking to the fact that the petitioner has foreign national, it would be appropriate to have the trial itself completed by 15.02.2017 including the deliverance of judgment. Liberty is reserved in favour of the petitioner to renew the bail petition, if the trial is not completed and judgment is not delivered by 15.02.2017.

Disposed of in above terms.

(A.B. CHAUDHARI)
JUDGE

December 13, 2016

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No