

CRM-M-9576-2016

Date of Decision : 20.05.2016

Balraj Singh

.....Petitioner

versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Jasbir Singh, Advocate
for the petitioner.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, JUDGE (ORAL)

Petitioner has been in custody for the last one year and three months when no witness, out of 13 prosecution witnesses, has been examined in a case of alleged recovery of 5 kg of opium.

Taking into consideration the provisions of Section 37 of the NDPS Act and the constitutional right of the petitioner for liberty during pendency of the trial, I deem it appropriate to dispose of this petition, at this stage, with a direction to the trial Court to make an earnest endeavour to examine all the prosecution witnesses by giving short dates of hearing to the prosecution agency and conclude the trial within a period of six months, after the next date of hearing fixed before the trial Court, as till date no prosecution witness has been examined, despite the custody of the petitioner for one year and three months.

Ordered accordingly.

Let the copy of the order be communicated to the trial Court forthwith for compliance.

In case the trial is not concluded within the stipulated period, it will be open to the petitioner to approach this Court again for grant of bail.

(M.M.S. BEDI)
JUDGE

20.05.2016
Neha