

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

**CRM-M No.988 of 2016 (O&M)
Date of Decision: 21.01.2016**

Avtar Singh @ Chhinda

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. P.P.S.Duggall, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondent/State assisted by ASI Sarabjit Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. to the petitioner in case FIR No.17 dated 15.05.2012 for the offences punishable under Sections 15/61/85 of the Narcotic Drugs and Psychotropic Substances Act, registered with Police Station Kabirpur, District Kapurthala.

There is alleged recovery of 70 Kg. of *Poppy Husk* from the possession of the present petitioner whereas another 70 Kgs. of *Poppy Husk* from the co-accused. The petitioner allegedly fled away from the spot.

It is contended that the petitioner is about 65 years' old, who had been operated earlier and it is not believable that he was permitted to run away from the spot by the police officials.

It is an admitted fact that the petitioner was declared proclaimed offender on 02.03.2013 and was taken in custody on 25.12.2014.

Learned State Counsel, assisted by ASI Sarabjit Singh, submits that only 01 out of 13 prosecution witnesses, who all are official witnesses, has been examined.

After arguing for sometime, learned Counsel for the petitioner/accused wishes to withdraw the present petition.

Accordingly, the present petition stands dismissed as withdrawn.

The prosecution is directed to conclude the prosecution evidence within three months from today since the trial has already been delayed.

January 21, 2016
Gagan

**(JASWANT SINGH)
JUDGE**