

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

CRM-M No.13159 of 2017 (O&M)

Date of decision : August 03, 2017

Sukhraj Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Manjot Kaur, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

The prayer is for directing the trial court to conclude the trial in case FIR No.180, dated 22.07.2009, under Sections 21, 22, 23, 25 of the NDPS Act, 1985 and 25 of the Arms Act, 1959, registered as Police Station Focal Point, Ludhiana, pending before the learned Judge, Special Court, Ludhiana.

Heard.

It comes out that that while rejecting the anticipatory bail of the petitioner by the Single Bench of this court, vide order dated 01.09.2011 passed in CRM-M No.20295 of 2011, a direction was issued to the trial court to conclude the trial, preferably within a period of six months. Thereafter, a request from trial court was received and vide order dated 07.03.2012, the period of conclusion of the trial was extended by another four months. Still another request was received and the period was extended by another one year by this Court vide order dated 17.07.2012.

Learned State counsel has explained that in this case, there were three accused, out of which, two were declared proclaimed offenders. When the trial was to conclude, both the proclaimed offenders were arrested and fresh charge-sheet was served. Now out of the 13 witnesses, 8 have been examined and 5 are yet to be examined and the case is fixed for 09.08.2017.

Learned State counsel undertakes to examine those five witnesses on the said date and conclude the trial.

In these circumstances, the State is directed to produce all the remaining witnesses on the next date of hearing. Keeping in view the fact that the case is of the year 2009, the trial court is directed to, immediately, proceed with recording the statement of the accused under Section 313 Cr.P.C. within one week after concluding the prosecution evidence. Thereafter, the trial will be concluded finally positively within one month after excluding the period availed by the accused to lead defence evidence.

Disposed of.

(KULDIP SINGH)
JUDGE

August 03, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No