

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M- 18528-2016

Date of decision: March 15, 2017.

Vijay Kumar @ Vijay Sidhu

... **Petitioner**

v.

State of Punjab

... **Respondent**

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

Present: Shri L.S. Sodhi, Advocate for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Punjab.

A.B. Chaudhari, J. (Oral):

Rule. Heard forthwith.

Submits that the petitioner was arrested in FIR No.92 dated 18.9.2015, under Section 21/61/85 of the Narcotic Drugs & Psychotropic Substances Act, 1985, registered at Police Station Mehna, District Moga on 18.9.2015 and is in incarceration since then. According to him, though the trial has just begun, there is no satisfactory progress in the trial and the petitioner cannot be detained as an under-trial ad infinitum.

Learned counsel for the State submits that the trial has begun and one witness has been examined and cross examined and the next date is fixed as 11.4.2017.

Looking to the quantity of contraband seized i.e., 1 kilogram and 300 grams off heroine, I do not think that the petitioner should be enlarged on bail. At the same time, right to speedy trial cannot be ignored. The petitioner is an under-trial since September 2015 and in any case, the trial must be completed expeditiously. In that view of the matter, I make the following order:-

ORDER

- (i) request for bail for the present is not entertained and rejected;
- (ii) the trial court is directed to complete the trial in any case on or before 31.5.2017 looking to the period spent by the petitioner in jail;
- (iii) if the trial is not completed by the stipulated period, liberty is reserved in favour of the petitioner to apply for bail afresh before this Court.

Disposed of.

March 15, 2017.
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[A.B. Chaudhari]
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No