

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRL. MISC. No.M-1856 OF 2017 (O&M)
DATE OF DECISION : 7TH MARCH, 2016

Akunne Chinonso James

.... Petitioner

Versus

State of Haryana

.... Respondent

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

* * * *

Present : Mr. Vimal Kumar Gupta, Advocate for the petitioner.

Ms. Tanushree Gupta, DAG, Haryana.

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A. B. CHAUDHARI, J. (ORAL)

Notice of motion.

Ms. Tanushree Gupta, DAG, Haryana accepts notice on behalf of the State.

Rule heard forthwith with counsel for the rival parties.

In the present petition challenge is to the impugned order by which the trial Court having granted bail rejected the sureties produced by the petitioner for the reasons mentioned in the order.

Learned counsel for the petitioner fairly states that the petitioner is a Nigerian citizen and is staying in Delhi. He further submits that nothing was seized from his possession and only on the disclosure statement made by the co-accused he was arrested and is in jail in FIR No.231 dated 11.07.2016 registered under Section 21, 29, 61, 85 of NDPS Act Police Station Ambala Cantt., District Ambala. The petitioner was arrested on 14.07.2016 in this FIR.

Learned counsel for the petitioner has cited the decision in the case of ***Moti Ram & others versus State of M.P., 1978 AIR (SC) 1594.*** In my opinion the petitioner being the citizen of Nigeria

application of this decision cannot be made in the instant case. Nevertheless the petitioner is entitled to speedy trial and therefore, I make the following order:

ORDER

- (i) The CRL. MISC. No.M-1856 OF 2017 for bail is rejected.
- (ii) The trial Court shall take up the case for framing of charge and held trial and in any event shall complete the same within two months, there being the reason that the petitioner is a citizen of Nigeria.

Disposed of accordingly.

7TH MARCH, 2016
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:

Yes

No

Whether Reportable:

Yes

No.