

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 213

CRM-M-2137-2017

Decided on : 05.04.2017

Saraj Singh @ Shamu

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. A. K. Sama, Advocate, for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 439 Cr. P. C., the petitioner seeks the concession of regular bail in FIR No. 54, dated 08.05.2015, registered under Section 22 of the NDPS Act, at Police Station Mamdot, District Ferozepur.

Seeking regular bail for the petitioner, learned counsel submits that the alleged recovery from the petitioner is marginally higher than the prescribed commercial quantity; the petitioner has already suffered incarceration for over eight months and there is no other criminal case pending against him.

Opposing the grant of bail, learned State counsel, on instructions from HC Balwinder Singh, submits that the recovery of narcotics from the petitioner is of commercial quantity and only two prosecution witnesses remain to be examined in the trial.

After considering the rival submissions, while declining the grant of regular bail to the petitioner, I am of the view that the ends of justice would be met if a direction is issued to the prosecution to conclude the entire

prosecution evidence within six weeks from the next date fixed in the trial, of course, subject to the cooperation by the petitioner.

After the evidence of the prosecution witnesses is concluded, as above, the trial court is requested to make all earnest efforts to conclude the trial within one month thereafter. This again would be subject to the cooperation by the petitioner.

In case, the trial is not concluded within three months from the next date fixed before the trial court, the petitioner would be at liberty to revive his prayer for regular bail.

The petition stands disposed off in the above terms.

05.04.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No