

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2458 of 2017 (O&M)

Date of Decision: 01.02.2017

Jagdish Singh @ Ravi

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sukhmeet Singh, Advocate for the petitioner.

Ms. Harpreet K. Athwal, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This is the second petition preferred by the petitioner under Section 439 Cr.P.C seeking the benefit of regular bail to the petitioner in case F.I.R. No.140 dated 18.09.2014 under sections 21, 61, 85 of N.D.P.S Act, registered at Police Station, Moga Sadar, District Moga.

Learned counsel for the parties have been heard.

As per prosecution version, an alleged recovery of 260 grams of contraband was effected from the petitioner as also co-accused namely Jaspreet Singh @ Gaggu.

Petitioner was arrested on 18.09.2014. He was, however, granted interim bail awaiting the report of the Chemical Examiner. Report of the Chemical Examiner having been furnished, petitioner was taken back in custody on 03.11.2015.

Counsel has adverted to an order dated 14.09.2016 passed by a Coordinate Bench of this Court in CRM No. M-16010 of 2016 i.e. a petition under Section 439 Cr.P.C. preferred by co-accused Jaspreet Singh @ Gaggu wherein while declining the prayer for bail directions had been issued to the Trial Court to conclude the trial within a period of three months from the

date of passing of the order.

Learned State counsel, who is on instructions from A.S.I. Malkiat Singh would apprise the Court that out of 17 prosecution witnesses cited only six have been examined till date.

Keeping in view the alleged recovery from the petitioner as also co-accused and which is marginally over and above the commercial quantity and coupled with the fact that the trial has not made sufficient progress inspite of directions having been issued by this Court on 14.09.2016 to conclude the trial, the present petition is disposed of with the observations that in case the trial is not concluded within a further period of three months from today, petitioner would be enlarged on bail subject to satisfaction of the Trial Court.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

01.02.2017

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Whether speaking/reasoned:	Yes
Whether Reportable:	No