

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

CRM M-32507 of 2017.

Date of Decision: 09.11.2017.

Harbans Singh @ Bansa

... Petitioner

Versus

Narcotics Control Bureau, Chandigarh

... Respondent

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. H.S. Hooda, Sr. Advocate with
 Mr. Naveen Kashyap, Advocate,
 for the petitioner.

 Mr. D.D. Sharma, Advocate,
 for the respondent.

JITENDRA CHAUHAN.J.(ORAL)

 This is second bail application filed under Section
439 Cr.P.C in case NCB Crime No.14/2015 dated 05.05.2015
registered under Sections 8, 18 and 29 of Narcotic Drugs and
Psychotropic Substances Act, 1985.

 Learned Senior counsel refers to deposition of
Sanjay Kumar Acharya, PW-1 and Kaustubh Sharma, PW-2 to contend
that the recording was not done by the concerned official and it is not
clear as to who sanctioned the surveillance on the phone number in
question. The petitioner has been asked to give his voice sample. In this
context, it is submitted that the matter is already pending consideration
before Hon'ble the Supreme Court in **Ritesh Sinha vs. State of Uttar
Pradesh and another, 2013(1) RCR (Criminal) 629**, and a final view

in the matter is yet to be taken. It is further contended that the trial is not progressing due to the absence of the prosecution witnesses. However, the zimny orders of the trial Court are not on record.

Without referring to the submissions advanced and considering the fact that the petitioner is in custody since 01.10.2015, the trial Court is directed to conclude the trial expeditiously preferably by listing the matter day-to-day basis and an endeavour be made to conclude the trial within four months from today.

At this stage, learned counsel for the respondent states that in fact, the delay has occurred due to non-appearance of the accused as he lodged himself in the hospital.

The petitioner undertakes to render complete assistance to the trial Court in early disposal of the matter.

Disposed of.

09.11.2017.
SN

(JITENDRA CHAUHAN)
JUDGE

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