

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 207

CRM-M-35928-2016

Decided on : 14.03.2017

Mewa Singh

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Shubreet Kaur, Advocate, for the petitioner(s).

Mr. Arshdeep S. Kler, DAG, 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. 42, dated 15.02.2016, registered under Section 22 of the NDPS Act, at Police Station Tripari, District Patiala.

Status report filed by learned State counsel, in Court today, is ordered to be taken on record.

The allegations against the petitioner are that he was found in possession of 1055 intoxicating tablets for which he is being tried under the NDPS Act.

At the very outset, learned State counsel submits that all the witnesses cited by the prosecution have already been examined but since the prosecution sought to examine two police officials as additional witnesses, an application under Section 311 Cr. P. C. has been moved before the trial court which is fixed for final arguments on 17.03.2017. He further submits that at the fag end of the trial the case of the petitioner for regular bail be

rejected.

Keeping in view the facts, which are peculiar to the present case, that all the witnesses cited by the prosecution have already been examined, at this stage, I am not inclined to grant regular bail to the petitioner.

However, in my opinion, the ends of justice would be met if the trial court is requested, subject to the cooperation by the prosecution as also by the petitioner to decide upon the afore-referred application filed by the prosecution under Section 311 Cr. P. C., on the next date fixed before it and irrespective of the decision rendered thereupon, again subject to the cooperation by the prosecution as also by the petitioner, to take a final decision in the trial within two months thereafter.

The above directions satisfy learned counsel for the petitioner.

In case, the above directions are not complied with, the trial court would send a report to this Court explaining the delay and as to why the directions have not been complied with. In that eventuality the petitioner would also be at liberty to renew his prayer for seeking regular bail.

14.03.2017
shamsher

[DEEPAK SIBAL]
JUDGE

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