

IN THE HIGH COURT OF PUNJAB & HARYANA,
CHANDIGARH

CRM-M No. 41961 of 2016 (O&M)
Date of decision : April 20, 2017

Narinder Singh

..... **Petitioner**

Versus

State of Punjab

..... **Respondent**

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Rajesh Kumar Mehta, Addl.A.G.Punjab.

AMOL RATTAN SINGH, J (oral).

Learned counsel for the petitioner submits that the petitioner has been in custody since 31.1.2015, upon three kgs. of heroin stated to have been recovered from him and two kgs. from his co-accused, Tehal Singh. He has produced in Court today a copy of the order passed in respect of the co-accused in CRM-M-18337-2016, on 4.8.2016, wherein at that stage bail was declined to the said co-accused, Tehal Singh, but a further direction was issued to the trial court to make an earnest endeavour to conclude the trial within a period of six months by giving short dates for examination of prosecution witnesses and by giving a fair opportunity to the petitioner to lead defence evidence.

It was further ordered that if the trial would not be concluded within a period of six months, that court itself would release the

petitioner in that case (Tehal Singh), on his furnishing adequate bail bonds/surety bonds.

Learned State counsel, on query, on instructions from ASI Satpal, states that out of twelve witnesses even now only one witness has been examined . Thus, the trial is no where near conclusion, more than two years and three months having been gone by after the petitioner was arrested. Hence, when his co-accused has already been granted bail, I see no justification not to admit the petitioner to bail.

Consequently, this petition is allowed and the petitioner is ordered to be admitted to bail to the satisfaction of the learned trial Court, upon his furnishing adequate bail bonds and surety bonds.

The Senior Superintendent of Police, Tarn Taran, is however, is directed to conduct an enquiry as to why police officials are not appearing before the trial court to testify as prosecution witnesses even after the passing of an order by this Court, that the trial must be concluded within six months.

Though the petition actually stands disposed of, but for the report of the Senior Superintendent of Police, Tarn Taran to be put up, adjourned to 23.5.2017.

A copy of this order be given to learned State counsel under the signatures of the Special Secretary of this Bench.

(AMOL RATTAN SINGH)
JUDGE

April 20, 2017
archana

Whether speaking/reasoned
Whether Reportable

Yes
No