

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

**CRM-M No.6024 of 2017
Date of Decision: 27.04.2017**

Amar Singh @ Ambu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. N. S. Diwana, Advocate
 for the petitioner.

 Mr. Neeraj Yadav, AAG, Punjab
 for the respondent-State.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 439 Cr.P.C., the petitioner seeks grant of regular bail in FIR No.92, dated 15.06.2016, registered under Sections 21, 22, 61 and 85 of NDPS Act, at Police Station Bassi Pathana, District Fatehgarh Sahib.

Seeking regular bail for the petitioner, learned counsel submits that the petitioner has been in custody for over 10 months; there is no other case pending under the NDPS Act in which the petitioner is involved and since there are 10 witnesses cited by the prosecution, out of whom, none has been examined till date, the trial is likely to take a long time to conclude.

Learned State counsel opposes the grant of bail on the ground that heavy quantity of narcotics has been recovered from the petitioner which includes 1000 tablets of Lomotil and 02 grams of herion and that the petitioner is involved in another criminal case being FIR No.84 of 2015, registered under Sections 325, 323, 148 and 149 IPC,

at Police Station Bassi Pathana, District Fatehgarh Sahib. On the delay in the examination of prosecution witnesses, learned State counsel on instructions from HC Avtar Singh, undertakes that the prosecution shall conclude their entire evidence, subject to the cooperation by the petitioner, within four months from the next date fixed before the trial Court.

After considering the above submissions, considering the heavy quantity of drugs having been allegedly recovered from the petitioner as also for the reason that the petitioner is facing trial in another criminal case, while declining the prayer for the grant of regular bail, I am of the opinion that the ends of justice would be met, if the State is bound down by the afore-referred undertaking that they would conclude their evidence, subject to the cooperation by the petitioner, within four months from the next date fixed before the trial Court.

The petition stands disposed of in the above terms.

It is clarified that in case the prosecution does not conclude its evidence within the above time frame, the petitioner shall be at liberty to revive his prayer for regular bail.

(DEEPAK SIBAL)
JUDGE

April 27, 2017
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No