

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

CRM-M-1615-2018

Date of Decision:02.05.2018

Pardeep

.....Petitioner

Vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Vishal Malik, Advocate,
for the petitioner.

Mr. Ravi Pratap Singh, A.A.G., Haryana.

AMOL RATTAN SINGH, J. (Oral)

Though learned counsel for the petitioner has argued to the effect that there is a violation of the mandatory provisions of Section 50 and 52-A of the NDPS Act, 1985, even in terms of the judgment of the Supreme Court in '**Arif Khan alias Agha Khan vs. State of Uttrakhand**' Criminal Appeal no.273 of 2017, and '**Union of India vs. Mohan Lal and another**', 2016 (2) RCR (Criminal) 858 respectively, the quantity of contraband shown to be recovered from the petitioner being 16000 mls, i.e. a total of 160 bottles of 100 mls each, I do not consider it an appropriate case where the petitioner can be admitted to bail at this stage.

However, he already having in custody for about 8 months, the trial Court is directed to expedite the trial, with a direction also issued to the SP, Hissar, to ensure that all witnesses as are police officers/officials, duly appear before the trial Court as and when they are summoned to testify, failing which the SP, Hissar, shall be summoned to Court to explain as to why his subordinates are not appearing to testify before the trial Court.

Disposed of.

May 02, 2018

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO