

S.No.210

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

CRM-M-28591 of 2018 (O&M)

Date of Decision:13.11.2018

Hardeep Singh alias Deepa

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. B.K. Mehta, Advocate
for the petitioner.
Mr. K.S. Aulakh, DAG, Punjab.

Rajbir Sehrawat, J.(Oral)

This is a third bail petition which has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.0158 dated 03.11.2017 registered under Section 22 of NDPS Act, 1985 at Police Station Balachour, District Shaheed Bhagat Singh Nagar.

Before advertng to the merits of the case, counsel for the petitioner has pointed out that earlier, in another petition filed by the petitioner seeking bail in the case, this Court had passed the order observing that the State Counsel had undertaken to ensure to lead the evidence expeditiously. However, it is pointed out by the counsel that despite passing of more than eight months, only two witnesses, even those the formal ones; have been examined by the prosecution. The petitioner is in custody since 03.11.2017. The prosecution is yet to examine the eight more witnesses.

Learned State Counsel, being instructed by ASI Amarjit Singh, has pointed out that there are seven cases against the petitioner including the one case under the NDPS Act. However, he has not been able to dispute that only two witnesses have been examined by the prosecution.

At this stage, counsel for the petitioner seeks permission to withdraw the present petition. However, a prayer is made that the evidence of the prosecution be directed to be completed within a time-bound manner.

Dismissed as withdrawn at this stage.

However, it is directed that the prosecution shall examine all its witnesses on next two dates fixed before the trial Court. The prosecution shall specify the names of prosecution witnesses to be examined by them on each of these two dates. It is further directed that in case the witnesses so specified are not produced by the prosecution on the date fixed by the trial Court, then the trial Court shall issue warrants of arrest against the said witnesses; and the said witnesses shall be kept in custody till their examination before the Court is complete.

It is further directed that the trial of the case shall be concluded within a period of three months, from the date next fixed before the trial Court.

November 13, 2018
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No