

CRM-M-3565-2019 (O&M)

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

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**CRM-M-3565-2019 (O&M)
Date of Decision : 20.2.2019**

Baljinder alias Biru

....Petitioner

vs.

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. P.S.Sekhon Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

AJAY TEWARI, J. (Oral)

The petitioner seek grant of regular bail in case FIR No.348, dated 31.8.2016, registered under Section 21-B, NDPS Act 1985 registered at Police Station Bhuna, District Fatehabad.

Counsel for the petitioner has stated that the alleged recovery is of non-commercial quantity and the petitioner has been in custody for 1 year approximately.

Custody certificate dated 18.2.2019 has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. The custody certificate corroborate the fact that the petitioner has been in custody for 1 year.

Learned Deputy Advocate General on instructions from ASI

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Krishan Kumar has however pointed out that many cases are pending against the petitioner and only 5 prosecution witnesses remain who have been summoned for 27.2.2019. Counsel for the petitioner has then pointed out that this is a case where these 5 prosecution witnesses are all government officials who are not appearing and 2 of them are summoned through non-bailable warrants. Learned DAG assures that all the government witnesses will appear. He has further stated that instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial. He has stated that the prosecution will lead its entire evidence on or before 15.3.2019 subject to the accused not obstructing the same.

I find this to be a fair submission. Consequently, even while dismissing this petition, the Trial Court is directed to release the petitioner on bail in case the prosecution fails to conclude its entire evidence on or before 15.3.2019 subject to the accused not obstructing the same.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands dismissed.

20.2.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No