

CRM-M-49212-2018 (O&M)

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

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**CRM-M-49212-2018 (O&M)
Date of Decision : 9.5.2019**

Bhupinder Kumar @ Chan Mahi

....Petitioner

vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.B.S.Bhalla, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

The petitioner seek grant of regular bail in case FIR No.46, dated 11.7.2018, registered under Section 21 of Narcotic Drugs and Psychotropic Substances Act,1985 registered at Police Station City 'D' Division, Amritsar.

Counsel for the petitioner has stated that the petitioner has been in custody for about ten months.

Custody certificate dated 9.5.2019 by way of affidavit of Rajiv Kumar Arora, Deputy Superintendent, Central Jail, Amritsar has been filed on behalf of the respondent-State, the same is taken on record. Copy has been supplied to the opposite counsel. Custody certificate also certifies the fact the petitioner has been in custody for 9 months and 24 days.

Learned counsel for the petitioner seeks bail on the basis of custody but learned Deputy Advocate General on instructions from ASI Kuldip Singh has stated that out of total 11 witnesses 3 has been examined and 8 witnesses remain to be examined and prays that instead of releasing the petitioner on bail, it would be appropriate to put a time cap on the trial. She has stated that the prosecution will lead its entire remaning evidence on or before 31.7.2019 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 31.7.2019 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.

9.5.2019
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No