

Crl. Misc. No. M-53711 of 2018

Date of Decision: January 18, 2019

Moti Lal

.....Petitioner

versus

State of Haryana

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTALPresent: Mr. P.K. Ganga, Advocate
for the petitioner

Mr. D.R. Singla, DAG Haryana

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of regular bail in case FIR No. 115 dated 13.05.2017 under Sections 13, 18(c) of Drugs and Cosmetics Act, 1940 and Section 21 of the NDPS Act, 1985, registered at Police Station City Mandi Dabwali, District Sirsa, Haryana.

Learned counsel for the petitioner submits that the petitioner was arrested on 13.05.2017. He was granted interim bail by this Court on 11.09.2018 as the report of the FSL had still not been received. Thereafter, on receipt of the FSL report, the petitioner surrendered on 21.11.2018. Only 2 PWs have been examined till date out of total of 12 PWs, thus, the trial is not likely to be concluded at an early date. There are no other criminal cases pending against the petitioner and, thus, he may be granted regular bail.

Learned State counsel does not dispute the aforementioned factual submissions. He, however, submits that the remaining 10 PWs have been summoned for the next date of hearing, which is 07.02.2019. Thus, the hearing be deferred as examination of PWs is likely to be concluded on 07.02.2019.

From the submissions of counsel for the parties, it is evident that there is no other criminal case pending against the petitioner and that the petitioner has

not misused the concession of interim bail granted to him. Although 10 PWs have been summoned for the next date of hearing, it is not likely that all of them would appear on the said date and even if they appear on the said date, it is extremely unlikely that they would be examined on the same date. Thus, the trial is not likely to be concluded at an early date.

Accordingly, the petition is allowed and the petitioner is directed to be released on regular bail on his furnishing bail and surety bonds to the satisfaction of the trial Court concerned.

January 18, 2019

reena

[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No