

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

217(2)

CRM-M-10344-2020

Date of decision: 10.12.2020

RAFIQ

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Tarun Vir Singh Lehal, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab
for the respondent-State.

ARUN KUMAR TYAGI, J (ORAL)

The case has been taken up for hearing through video conferencing.

The petitioner has filed the present (first) petition under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular Bail in case FIR No. 158 dated 12.10.2019 under Section 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985 registered at Police Station City-1, Malerkotla, District Sangrur.

Custody certificate has been filed by learned State Counsel through E-mail, print out of which is taken on record.

After arguing for some time and highlighting delay in recording of prosecution evidence, learned counsel for the petitioner has submitted that the petitioner does not want to continue with the present petition and the same may be dismissed as withdrawn at this stage.

Dismissed as withdrawn at this stage.

In view of the observations made by Hon'ble Supreme Court in *Doongar Singh Vs. State of Rajasthan 2018 (1) RCR Criminal 256*, *State of U.P. Vs. Shambhu Nath Singh and others, 2001 (2) R.C.R. (Criminal) 390*, *Hussain and another Vs. Union of India 2017(2) RCR Criminal 312* and *Thana Singh Vs. Central*

Bureau of Narcotics 2013(1) R.C.R(Criminal) 861, the trial Court is directed to expedite trial and conclude prosecution evidence preferably within a period of four months from resumption of physical hearing by conducting trial on day to day basis as far as possible and by allocating block of dates for the trial as directed by Hon'ble Supreme Court and by issuing coercive process for securing presence of the witnesses, if so required.

In case of non-appearance of any of the other prosecution witnesses, the trial Court shall take appropriate action against the concerned prosecution witness absents without any lawful excuse by filing complaint under Section 174 of the Indian Penal Code, 1860 or taking proceedings under Section 350 of the Cr.P.C. against him.

A copy of this order be sent to the trial Court concerned for requisite compliance.

10.12.2020
vishal

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No