

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

207

**CRM-M-19176-2021 (O&M)
Date of decision: 28.04.2022**

SANJAY MAHTO

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Karan Sachdeva, Advocate
for the petitioner.

Ms. A.K. Khurana, DAG Punjab.

VINOD S. BHARDWAJ. J. (ORAL)

The instant petition has been filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the petitioner in case FIR No.177 dated 04.08.2019 under Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered at Police Station Civil Lines Amritsar District Amritsar.

Learned counsel for the petitioner submits that the FIR in question was registered on 04.08.2019 for alleged recovery of 5 kg of charas. However, despite a lapse of more than 2½ years, the trial has not progressed. Only one witness has been examined so far out of total 12 witnesses cited by the investigating agency in its final report.

Ms. A.K. Khurana, DAG Punjab submits that considering the period of custody already undergone by the petitioner, she would issue appropriate instructions to the investigating agency to ensure expeditious examination of the prosecution witnesses and undertakes that such process shall be completed by the

prosecution within a period of 4 months.

In the event the prosecution evidence is not concluded in the above-said time, the petitioner shall be at liberty to approach this Court again for seeking the concession of bail.

The instant petition is accordingly dismissed as not pressed at this stage and direction is issued to the respondent-State to take expeditious steps for conclusion of prosecution evidence within a period of 4 months commencing from 02.05.2022 i.e., the date already fixed for recording of prosecution witness before the trial Court.

(VINOD S. BHARDWAJ)
JUDGE

April 28, 2022
S.Sharma(syr)

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