

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

Sr. No. 227

**CRM-M-2215-2023 (O&M)
Date of decision : 27.01.2023**

Yusuf Ali

..... Petitioner

VERSUS

N.C.B. Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. K.S. Saini, Advocate, for the petitioner.

Mr. A.K. Goyal, Advocate, for the respondent.

SUDHIR MITTAL, J. (Oral)

This petition has been filed for directions to the trial Court to conclude the trial in case/Crime No.03 dated 10.01.2019, registered at Police Station, NCB Chandigarh, under Sections 08, 20, 29, 60 of the NDPS Act, 1985.

Learned counsel for the petitioner has submitted that more than four years have elapsed since the registration of the criminal case. Examination of DWs has concluded a long time back. Learned counsel for the NCB has not appeared before the trial Court on the last many dates and his non-appearance is no ground for adjourning the case repeatedly.

Learned counsel for the respondent submits that four dates have been taken by the accused for examination of DWs, but none had been produced. Thus, it is the accused who is responsible for delay.

A perusal of orders passed by the trial Court w.e.f. 02.12.2022 till 17.01.2023, handed over by learned counsel for the respondent, shows that the matter had been adjourned since 02.12.2022 as no DW was present.

The matter is now fixed for 31.01.2023. If, no defence witness appears on

the next date of hearing also, the defence evidence may be closed by order and a date may be fixed for arguments. The arguments shall be concluded on the said date.

With the aforementioned directions, the petition stands disposed of.

(SUDHIR MITTAL)
JUDGE

27.01.2023
Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

No