

CRM-M-15868-20232023:PHHC:116125

215IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-15868-2023
Date of decision: 04.09.2023

Avtar Singh @ Billa...Petitioner

Versus

State of Punjab...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Gaurav Partap S. Pathania, Advocate
for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0095	13.08.2022	Sujanpur, District Pathankot	15 of NDPS Act (Section 29 of NDPS Act added vide order dated 31.08.2023)

1. The petitioner incarcerated for violating the above-mentioned provisions of Narcotics Drugs and Psychotropic Substances Act, 1985 (NDPS Act) as per the FIR captioned above, has come up before this Court under Section 439 CrPC seeking bail.
2. In para 22 of the petition, the petitioner declares that the following criminal history

Sr. No.	FIR No.	Dated	Police Station	Sections
1	12	08.03.2016	Hajipur, District Hoshiarpur	15 of NDPS Act

3. Counsel for the State has handed over the copy of an order passed by the Judicial Magistrate, 1st Class, Pathankot, in compliance to Section 52A of NDPS Act, in which it has been mentioned that 50.200 grams of poppy husk was recovered from the accused- Avtar Singh, which is commercial quantity.
4. After arguing for some time, petitioner’s counsel seeks permission to withdraw the present petition with clarification that directions be issued to the trial Court to

conclude the trial within the time bound manner.

5. Given above, petition is disposed of as withdrawn. Considering the petitioner’s prayer, the concerned trial court is requested to make all endeavours to conclude the trial by 30.12.2023, of which the prosecution evidence be completed by 30.11.2023, and the remaining time to provide an opportunity to the accused to lead defence evidence, if so desired, and to conclude its hearing. To meet the deadline, an endeavour be made to speed up the process for service and to pass the necessary directions in this regard. It is clarified that if expediting this trial disturbs the docket of the concerned court, then a balance be struck, and if, on this account, any delay happens, then an extension can be sought by mentioning such reasons. It is clarified that this order speeding up the trial is subject to the condition that neither the petitioner shall seek any adjournment nor try to use any tactics to delay the trial. If they do so, this order of expediting the trial shall stand automatically recalled by resorting to Section 362, read with Section 482 Code of Criminal Procedure, 1973, without any further reference to this court. If any of the accused is on bail and fail(s) to attend the trial without any sufficient cause, then they be dealt with strictly but in accordance with law.

All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

04.09.2023
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Whether speaking/reasoned:	Yes
Whether reportable:	No.