

Sandeep Sharda
...Petitioner(s)
Versus
State of Punjab
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vivek K. Thakur, Advocate for the petitioner.
Ms. Navreet K. Barnala, AAG, Punjab.

AVNEESH JHINGAN, J (Oral):

1. The forth present petition has been filed under Section 439 of Cr.P.C. seeking regular bail in FIR mentioned below:-

FIR No.	Dated	Police Station	Sections
28	19 th March, 2021	Jhabal, District Tarn Taran	22(c) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985

2. The bail is being sought on the ground of custody and the fact that trial is not progressing at a decent pace. In the case of the co-accused following order was passed in CRM-M-43684-2022 on 18th May, 2023:-

- “1. This is the second petition filed under Section 439 Cr.P.C. seeking regular bail to the petitioner in FIR No.28 dated 19.03.2021 under Sections 22-C and 29 of Narcotic Drugs and Psychotropic Substances Act, 1985, registered at Police Station Jhabal, District Tarn Taran.
2. An affidavit on behalf of respondent-State has been filed and the same is taken on record, copy supplied to learned counsel for the petitioner.
3. Learned State counsel on instructions from SI Kewal Singh, submits that cross examination of only one of the prosecution witness is pending and rest of the prosecution witnesses have already been examined.

4. *At this stage, learned counsel for the petitioner seeks permission to withdraw the instant petition with liberty to approach the trial Court for expeditious conclusion of trial.*
5. *Dismissed as withdrawn with liberty as prayed for.*
6. *There is no doubt that in case a request is made before the court concerned for accommodating the dates for expeditious conclusion of trial, the same would be considered in accordance with law.*
7. *Since the main case has been withdrawn, pending application, if any is rendered infructuous.”*
3. Learned State counsel on instructions submits that out of eleven prosecution witnesses seven have been examined, four given up. Further that examination-in-chief of Investigation officer is complete and matter is now fixed for cross-examination.
4. In view of the fact that trial is progressing at a decent pace, learned counsel for the petitioner is not pressing the present petition at this stage.
5. Dismissed as not pressed.
6. Since the main case has been dismissed as not pressed, pending application if any is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

28th August, 2023

Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |