

CRM-M-43928-20222023:PHHC:106091

202IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43928-2022
Date of decision: 17.08.2023

Suresh Kumar...Petitioner

Versus

State of Punjab...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Vijay Lath, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0089	04.07.2021	Kiratpur Sahib, District Rupnagar, Punjab	22 of NDPS Act

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. Counsel for the petitioner submits that the trial Court has not complied with the order dated 07.05.2022 passed in CRM-M-8945-2022, therefore the petitioner has again approached this Court for grant of regular bail.
3. Counsel for the State on instructions from ASI Pritam Singh, submits that out of 14 witnesses, 10 have already been examined and they are not delaying the matter.
4. Given above, let the trial court conclude the trial by 30.09.2023. 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. However, if the trial is not completed by the date mentioned above, and the delay is not attributable to the petitioner, in that situation, it shall be permissible for the petitioner to file a bail petition before the trial Court, by taking an additional ground of delay in the trial, and the trial Court shall consider such application for bail without being influenced from the earlier rejection by trial Court or this Court.

Petition disposed of in aforesaid terms. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

17.08.2023
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Whether speaking/reasoned: Yes
Whether reportable: No.