

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

465

CRM-M-59078-2022
Date of Decision: April 29, 2023

Sukhwinder Singh @ KakkuPetitioner(s)

Vs.

State of PunjabRespondent(s)
CORAM:HON'BLE MR.JUSTICE ANOOP CHITKARA

Present: Mr. S.S. Rana, Advocate and
Mr. Akshay Rana, Advocate for the petitioner.

Mr. Vinay Kumar Gupta, AAG, Punjab

ANOOP CHITKARA J. (ORAL)

FIR No.	Dated	Police Station	Sections
75	09.06.2020	Sidhwan Bet. District Ludhiana, Punjab	15-25 of NDPS Act, 1985

The petitioner incarcerated in the FIR captioned above, has come up before this Court under Section 439 CrPC seeking bail.

2. Due to heavy pendency, this court proposed giving a date as per the available slot applicable to this matter. On this, the petitioner's counsel submits that at this stage, they would be contended and satisfied if a direction is given to the trial court to expedite the trial in a time-bound manner and further in case the trial is not completed by the given date, they are permitted to file a fresh bail petition on the grounds of delay in the trial, in addition to the merits of the case.

3. Given above, considering the petitioner's custody, this court requests the concerned trial court to make all endeavours to conclude the trial by Sep 30, 2023, of which the prosecution evidence be completed by Aug 31, 2023, and the remaining time to provide an opportunity to the accused to lead defence evidence, if so desired. It is clarified that this order expediting 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 CrPC, without any further reference to this court. 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 by taking an additional ground of delay in the trial, and such petition may be filed before the trial court or this court.

4. The petition is disposed of with the aforesaid liberty and observations. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

April 29, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No