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

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Date of decision : 13.02.2024

Kulwinder Singh alias Nona

....Petitioner

Versus

State of Punjab

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. R.S. Sidhu, Advocate
for the petitioner.

Mr. Sidharth Sandhu, AAG, Punjab.

PANKAJ JAIN, J. (ORAL)

The present petition has been filed under Section 439 Cr.P.C. on behalf of the petitioner seeking regular bail pending trial in case FIR No.124 dated 04.09.2021 registered for the offences punishable under Section 21 of the NDPS Act, 1985 and Section 25 of Arms Act, 1959 at Police Station Sadar Patti, District Tarn Taran.

2. The petitioner was found to be in conscious possession of 260 grams of *heroin* and is in custody since 4th of September, 2021. Police report was filed before Special Judge on 21st of September, 2021. Charges were framed on 4th of May, 2023. Only 2 out of 16 cited prosecution witnesses have been examined till date. Petitioner is facing 4 more cases under NDPS Act.

3. Status report by way of affidavit of Jaspal Singh, PPS, Deputy



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Superintendent of Police, Sub Division Patti, District Tarn Taran was filed on behalf of State. On 22nd of November, 2023 following order was passed:

“Status report by way of affidavit of Jaspal Singh, PPS, Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran has been filed on behalf of respondent-State today in Court, which is taken on record. Copy supplied.

Counsel for the petitioner is not in position to dispute that the petitioner is involved in four more cases under the NDPS Act however he has drawn attention of this Court to the order dated 4th of August, 2023 passed by Judge Special Court, Tarn Taran whereby examination-in-chief of PW-1 was stated to be recorded but thereafter despite availing five opportunities i.e. on 19.08.2023, 11.09.2023, 18.09.2023, 20.09.2023 and 03.10.2023, PW-1 has not come present for cross-examination.

Counsel for the State does not dispute that he is official witness.

Salary of PW-1 shall remain attached till his appearance.

Adjourned to 11.12.2023.”

4. On 25th of January, 2024, this Court was apprised of the fact that despite the order passed on 22nd of November, 2023, PW-1 failed to come present before the Court. Subsequently, Senior Superintendent of Police, Tarn Taran was directed to file affidavit.

5. Today, affidavit of Ashwani Kapur, IPS, Senior Superintendent of Police, Tarn Taran, District Tarn Taran has been filed on behalf of the respondent/State, which is taken on record. Para No.3 thereof reads as under:

“3. That it is respectfully submitted that the copy of the present petition as well as order dated 25.01.2024 passed by this Hon'ble Court was received in the office of the undersigned and

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the same was marked to the Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran to comply with the orders passed by this Hon'ble Court and as per the report received from the Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran, the brief facts pertaining to the present case are that a case FIR No.124 dated 04.09.2021, under Section 21 of the NDPS Act has been registered at police station Sadar Patti, District Tarn Taran against the petitioner namely Kulwinder Singh @ Nona as 260 grams of Heroin was recovered from his conscious possession and a motorcycle make Platina bearing registration No.PB46-U-5916 was also taken into police possession. During the course of interrogation of the petitioner, he voluntarily got recovered a riffle DBBL 12 Bore bearing No.18618-A/7 year 2005 alongwith 5 live cartridges of 12 Bore from the wooden almirah of his residential house. During the course of investigation, the FSL report pertaining to the contraband recovered in the present case has been received and the final report under section 173(2) of the Cr.P.C. has been presented before the learned Court of Judge Special Court, Tarn Taran on 21.09.2021 and charge has been framed on 04.05.2023 and total 16 prosecution witnesses have been cited in the list of witness, 4 prosecution witnesses have been examined till date and now, the next date of hearing before the learned trial Court is 20.02.2024. It is further submitted that one prosecution witness namely SI Lakhbir Singh i.e. PW-1 has got recorded his examination in- chief before the learned trial Court on 04.08.2023 and his further examination in-chief cross-examination was deferred and he was bound down for the next date of hearing i.e. 19.08.2023. Thereafter, the summons to the said official/witness were issued on various dates for deposing his evidence before the learned Trial Court and the same were also served by him on various dates but even then, the above said witness did not appear before the learned Trial Court for deposing his evidence, as such, the above said witness has committed negligence on his part and keeping in-view the above said facts, the Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran has recommended to initiate the



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departmental enquiry against the above erring officer namely SI Lakhbir Singh (now Retd Lt/Insp), the then Station House Officer, Police Station Sadar Patti, District Tarn Taran and the findings of the enquiry officer were duly approved by the undersigned vide order dated 05.02.2024 and the departmental enquiry has been initiated against the above said official/witness vide No.6108- 15/EB dated 08.02.2024 and after completion of departmental proceedings, appropriated action will be taken against the above said erring official in accordance with law. Further, the undersigned has also deputed Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran to conclude the prosecution evidence by way of procuring the presence of the prosecution witnesses before the learned Trial Court in the present case, as such, the Deputy Superintendent of Police, Sub Division Patti, District Tarn Taran makes sure that all the prosecution witnesses in the present case will be examined at the earliest.”

6. The narration shows deliberate attempt made by the official witnesses to scuttle down the prosecution. This is not the only case where trial is being delayed for want of co-operation from the official witnesses.

7. Section 36 of the 1985 Act recognizes the importance of speedy trial in the offences related to NDPS. The legislation was enacted in discharge of obligations under International Convention of Narcotic Drugs and Psychotropic Substances. The objective is to make stringent provisions for the control and regulation of operations relating to narcotic drugs and psychotropic substances. The offences under the Act are *heinous* and the punishments provided are stringent. Keeping in view the factual situation, especially in the border States of the country, the Courts are reeling under the ever increasing load of *lis* related to offences punishable under the 1985

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Act. Section 37 puts embargo upon grant of bail to the undertrials. A debate arose *‘whether prolonged custody can be a ground to grant bail to an undertrial dehors rigors of Section 37 of the 1985 Act?’* The same was first addressed by Supreme Court in **Supreme Court Legal Aid Committee representing Undertrial Prisoners vs. Union of India, (1994) 6 SCC 731**. Apex Court recognized the right of the undertrials to speedy trial and issued following directions:

“xxx We, therefore, direct as under:

- (i) Where the undertrial is accused of an offence(s) under the Act prescribing a punishment of imprisonment of five years or less and fine, such an undertrial shall be released on bail if he has been in jail for a period which is not less than half the punishment provided for the offence with which he is charged and where he is charged with more than one offence, the offence providing the highest punishment. If the offence with which he is charged prescribes the maximum fine, the bail amount shall be 50% of the said amount with two sureties for like amount. If the maximum fine is not prescribed bail shall be to the satisfaction of the Special Judge concerned with two sureties for like amount.
- (ii) Where the undertrial accused is charged with an offence(s) under the Act providing for punishment exceeding five years and fine, such an undertrial shall be released on bail on the term set out in (i) above provided that his bail amount shall in no case be less than Rs 50,000 with two sureties for like amount.
- (iii) Where the undertrial accused is charged with an offence(s) under the Act punishable with minimum imprisonment of ten years and a minimum fine of Rupees one lakh, such an undertrial shall be released on bail if he has been in jail for not less than five years provided he furnishes bail in the sum of Rupees one lakh with two sureties for like amount.

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(iv) Where an undertrial accused is charged for the commission of an offence punishable under Sections 31 and 31-A of the Act, such an undertrial shall not be entitled to be released on bail by virtue of this order.

The directives in clauses (i), (ii) and (iii) above shall be subject to the following general conditions:

(i) the undertrial accused entitled to be released on bail shall deposit his passport with the learned Judge of the Special Court concerned and if he does not hold a passport he shall file an affidavit to that effect in the form that may be prescribed by the learned Special Judge. In the latter case the learned Special Judge will, if he has reason to doubt the accuracy of the statement, write to the Passport Officer concerned to verify the statement and the Passport Officer shall verify his record and send a reply within three weeks. If he fails to reply within the said time, the learned Special Judge will be entitled to act on the statement of the undertrial accused;

(ii) the undertrial accused shall on being released on bail present himself at the police station which has prosecuted him at least once in a month in the case of those covered under clause (i), once in a fortnight in the case of those covered under clause (ii) and once in a week in the case of those covered by clause (iii), unless leave of absence is obtained in advance from the Special Judge concerned;

(iii) the benefit of the direction in clauses (ii) and (iii) shall not be available to those accused persons who are, in the opinion of the learned Special Judge, for reasons to be stated in writing, likely to tamper with evidence or influence the prosecution witnesses;

(iv) in the case of undertrial accused who are foreigners, the Special Judge shall, besides impounding their passports, insist on a certificate of assurance from the Embassy/High Commission of the country to which the foreigner-accused belongs, that the said accused shall not leave the country and



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shall appear before the Special Court as and when required;

(v) the undertrial accused shall not leave the area in relation to which the Special Court is constituted except with the permission of the learned Special Judge;

(vi) the undertrial accused may furnish bail by depositing cash equal to the bail amount;

(vii) the Special Judge will be at liberty to cancel bail if any of the above conditions are violated or a case for cancellation of bail is otherwise made out; and

(viii) after the release of the undertrial accused pursuant to this order, the cases of those undertrials who have not been released and are in jail will be accorded priority and the Special Court will proceed with them as provided in Section 309 of the Code."

8. Likewise, Division Bench of this Court in **Daler Singh vs. State of Punjab, 2007(1) RCR (Criminal) 316** issued various guidelines to deal with the increasing number of applications seeking suspension of sentence of the convicts whose appeals were lying pending before this Court for years together observing that:

"16. It cannot be disputed that under the constitutional scheme an accused is entitled to a speedy trial and speedy justice. An appeal is a continuation of trial. His right to liberty is fundamental one but some provisions with regard to curtailing his liberty could be enacted and the same, if reasonable, could be taken as valid. However, the absolute bar as to curtail liberty of the accused, even if the delay in final disposal of the appeal is not attributable to him, can certainly be said to be against the intent and spirit of the Fundamental Rights and would be violative of the Constitutional mandate. As such the liberty of the accused cannot be taken away absolutely for an indefinite period. We are afraid if liberty of an accused is curtailed unreasonably, then his right to appeal will be defeated; his

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destiny will be unimaginable if he is ultimately acquitted after he has undergone almost the entire sentence or major chunk of it, and no body would come to explain the justification for the period of his confinement during which he remained in custody till the disposal of the appeal. The plight of such convicts can well be imagined.

28. In a latest judgment rendered in *Salem Advocates Bar Association, Tamil Nadu v. Union of India, 2005 (3) RCR (Civil) 530 (SC) : 2005 (3) Civil Court Cases 420 (SC)*, the Apex Court while dealing with the issue of disposing of the appeals under different Acts including the NDPS Act laid certain guidelines for the Courts to make an endeavour to dispose of the appeals within a fixed period by putting the cases in different tracks. The same are reproduced as under:

"Criminal Appeals should be classified based on offence, sentence and whether the accused is on bail or in jail. Capital punishment cases, rape, sexual offences, dowry death cases should be kept in Track I. Other cases where the accused is not granted bail and is in jail, should be kept in Track II. Cases which affect a large number of persons such as cases of mass cheating, economic offences, illicit liquor tragedy, food adulteration cases, offences of sensitive nature should be kept in Track III. Offences which are tried by special courts such as POTA, TADA, NDPS, Prevention of Corruption Act, etc. should be kept in Track IV. Track V - all other offences.

The endeavour should be complete Tract I cases within a period of six months. Track II cases within nine months. Track III within a year, Track IV and Track V within fifteen months."

29. We, therefore, feel that keeping in view the spirit of Article 21, the following principles should be adopted for the release of the prisoners (convicts) on bail after placing them in different categories as under :-

(i) Where the convict is sentenced for more than ten years for having in his conscious possession commercial quantity of

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contraband, he shall be entitled to bail if he has already undergone a total sentence of six years, which must include at least fifteen months after conviction.

(ii) Where the convict is sentenced for ten years for having in his conscious possession commercial quantity of the contraband, he shall be entitled to bail if he has already undergone a total sentence of four years, which must include at least fifteen months after conviction.

(iii) Where the convict is sentenced for ten years for having in his conscious possession, merely marginally more than non-commercial quantity, as classified in the table, he shall be entitled to bail if he has already undergone a total sentence of three years, which must include at least twelve months after conviction

(iv) The convict who, according to the allegations, is not arrested at the spot and booked subsequently during the investigation of the case but his case is not covered by the offences punishable under section 25, 27-A and 29 of the Act, for which in any case the aforesaid clauses No. (i) to (iii) shall apply as the case may be, he shall be entitled to bail if he has already undergone a total sentence of two years, which must include at least twelve months after conviction.

30. In our view, no bail should be granted to a proclaimed offender, absconder or the accused repeating the offence under the Act. Similarly a foreign national who has been indicted under the Act and other traffickers who stand convicted for having in their possession extra ordinary heavy quantity of contraband (like heroine, brown-sugar, charas etc.) shall not be entitled to the concession of bail as extending the said concession to such like convicts, in our view, would certainly be against the very spirit of the 'Act'.

31. Similarly a convict who is sentenced for the commission of an offence punishable under section 31 and 31A of the Act shall not be entitled to be released on bail by virtue of this order.

32. The principles enumerated above would, however, have no



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effect on the concession of bail, otherwise provided under the provisions of the Act or any other law for the time being in force. At the same time these principles would also not affect the right of any convict to apply for interim suspension of sentence on account of any exceptional hardship, which shall be dealt with according to the facts of the each individual case, nor shall it affect the right of convict to seek bail on the merits of case."

9. This debate has evolved since then. Another Division Bench of this Court in **Bhupender Singh vs. Narcotic Control Bureau, 2022(2) R.C.R.(Criminal) 706** after recording the various milestones in this continuous debate concluded as under:

"27. Thus we find that in the year 1994, the Supreme Court held that a person who had undergone five years of pre-convict custody was entitled to be released on bail, on the touchstone of Article 21 of the Constitution of India. Though this judgment related to undertrials and only one time directions were issued, however, the directions in no way can be said to be against the legislative intent but are in furtherance of Article 21 of the Constitution of India. Therefore, it will also not be inappropriate if similar principles are followed with some variations and modifications in cases relating to convicts who are languishing in jails for the reasons that their appeals are not likely to be heard for a considerable period.

28. Then in P. Ramachandra Rao, where the accused was found to have amassed assets disproportionate to his known sources of income and the charge-sheet was filed for offences under Sections 13(1) (e) read with section 13(2) of the Prevention of Corruption Act, 1988, the constitutional bench of the Supreme Court stressed upon speedy trial at the touchstone of Articles 21, 19 and 14 and the Preamble of the Constitution as also from the Directive Principles of State Policy.

29. Then we have Surinder Singh @ Shingara Singh, where the

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convict was awarded the sentence of life imprisonment for an offence under Section 302 IPC and the interim order granting him bail had been made absolute. However, the Supreme Court again stressed upon speedy trial and specifically observed that the difficulty arises when the appeal preferred by such a convict cannot be disposed of within a reasonable time.

30. Then came Tule Ram, wherein a full bench of this Court after perusing the data provided with regard to the pendency or disposal of appeals under the Act went into the question as to what was the extent of the power for suspension of sentence which could be exercised by the High Court while dealing with the applications for suspension of sentence in appeals under the NDPS Act. The bench held that the Appellate Court had no power to suspend sentence during pendency of the appeal and that the Act makes no provision for post-conviction suspension of sentence. The exception, however, that was carved out was that when there is delay in disposal of the appeal which is not attributable to the convict, the Court may pass such orders as the convict may be entitled to in view of the provisions of Article 21 of the Constitution of India.

31. Thereafter, in Daler Singh, where the recovery was of 35 kg of poppy husk and the convict had undergone 7 years out of the total sentence of 12 years awarded under the Act, a division bench of this Court had suspended the sentence and had also laid down some principles for releasing the convicts under the NDPS Act at the touchstone of Article 21 of the Constitution of India.

32. Then in Dalip Singh, which was a case of murder, certain guidelines had been laid down by a full bench of this Court for the purpose of bail during trial and for suspension of sentence pending appeal in the spirit of Article 21 of the Constitution of India while considering various other factors of the case.

33. Then came Sheru, where the convict had undergone 8 years out of the total sentence awarded under the Act, the Supreme Court had suspended the sentence after considering covid

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situation.

34. Then in Tofan Singh, where the recovery was of 5.250 kgs of heroin and the convict had undergone 9 years of sentence out of the total sentence of 10 years awarded under the Act, the Supreme Court had suspended the sentence while referring the matter to the larger bench for reconsideration of the issue as to whether the officer investigating the matter under the Act would qualify as police officer or not and the larger bench while dealing with this issue had stressed upon Article 21 of the Constitution of India in cases under the NDPS Act.

35. Then we have K.A. Najeeb, wherein the accused was facing trial under UPA, IPC and Explosives substances Act, the Supreme Court granted bail after 4 years of custody while holding that once it is obvious that a timely trial would not be possible and the accused has suffered incarceration for a significant period of time, the courts would ordinarily be obligated to enlarge them on bail.

36. Then in Mossa Koya KP, where the recovery was of 1 kg of heroin and the convict had undergone 8 years out of the total sentence of 10 years, the Supreme Court had granted suspension of sentence.

37. Then in Pawan Kumar and another, where the recovery was of 15.5 kg of opium, the Supreme Court upheld the decision of this Court granting suspension of sentence to one of the convicts who had undergone 7½ years out of the total sentence of 15 years awarded under the Act.

38. Then in Mahamood Kurdeya, where the recovery was of 50 kg 800 grams of contraband from the Syrian national and who had undergone 3 years 3 months of custody, the Supreme Court had granted bail on the ground that even the trial had not been commenced till now.

39. Then in a recent case of Harpal Singh, a division bench of this Court had allowed the application for suspension of sentence of a convict who had undergone 7 years and 4 months

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of custody out of the total sentence of 10 years awarded under the Act, keeping in view the right guaranteed to a convict under Article 21 of the Constitution of India for a speedy trial.

40. On the contrary, in Ram Samujh, where the recovery was of 5 kg of opium and the custody was of only 1 year & 9 months, the Supreme Court gave primacy to the rigors of Section 37 of the Act and the bail was rejected. Another 5 years later in Mahaboob Alam, where the convict who was a previous offender had been awarded 15 years of sentence under Section 21 of the Act, the Supreme Court reiterated the view taken in Ram Samujh and held that granting bail to a repeated offender merely on the ground that co-accused had been granted bail was not good in law. After a period of 4 years in Ratan Kumar Vishwas, where the recovery was 250.400 kgs of charas and the convict had been awarded 14 years of sentence under the Act and had undergone 4½ years of custody out of the total sentence, the Supreme Court again accorded primacy to Section 37 of the Act and rejected the application for suspension of sentence which view was reiterated in the very next year in Rattan Mallik, where the recovery was of 14.9 Kg of heroin and the convict had undergone 3 years out of the total sentence of 10 years. Then after 11 years came Rajesh, where the recovery was more than 10 kgs of hashish oil and currency notes, the Union of India had challenged the post-arrest bail granted to an accused by the High Court of Kerala after 1 year of custody. In that case also, the Supreme Court again accorded primacy to Section 37 of the Act and cancelled bail of the accused. However, it had directed the trial Court to proceed and expedite the trial. Then in the latest case of Lokesh Chadha, the Supreme Court again applied the conditions of Section 37 of the Act to decline suspension of sentence to a convict who had undergone 4 years & 4 months of custody out of the total sentence of 10 years awarded under the Act.

41. The salient factor in all the cases relied upon by the learned counsel for the respondents is that in none of those cases the convict/accused could even argue that his case was covered



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under Article 21 of the Constitution of India. None of the cases fell under the categories enumerated either in Supreme Court Legal Aid Committee or Daler Singh. The maximum custody in these cases was of Lokesh Chadha and Ratan Kumar Vishwas where also they had undergone less than 5 years of the sentence. In none of these cases, the Supreme Court disagreed with even one of the decisions relied upon by the learned counsel for the applicants-appellants. Thus, it has to be concluded that there is no divergence of opinion as sought to be projected by the learned counsel for the respondents States. Where the convict/accused is not able to bring his case within the parameters of Article 21 of the Constitution of India the stringent provisions of Section 37 of the Act have to be applied.

42. In these circumstances, we would now examine all the cases under the parameters laid down in Supreme Court Legal Aid Committee and Daler Singh, of course with the clear understanding that the directions made therein are not mandatory and have to serve as guidelines. Those cases where the claim for suspension of sentence is made out on the basis of long custody would be disposed of by the present order while those where the claim is not supported by long custody would be segregated and listed for hearing individually. For convenience, the facts of each case are briefly stated.

10. While it seems that optimum solution has been achieved, it leads to a situation which seems to be more grave than the earlier. Trials remain pending for years together as the witnesses despite being police personnel keep evading trial. This callousness that too of the official witnesses remains unexplained, resulting in a situation where law appears helpless. As a result, it neither serves the interest of accused nor that of the prosecution. In some situations, innocents are facing prolonged incarceration whereas in some, repeated offenders are getting bails only on account of

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prolonged incarceration, abusing the concession granted by the Courts. The situation looks like a cobweb where the object of the enactment is getting defeated. The defiance of the official witnesses needs to be addressed. The Prosecuting Agencies have to shoulder the burden and own responsibility. Expeditious disposal of trial is the key for the criminal justice system to succeed. Time has come to manage progress of trial under NDPS Act involving 'commercial quantity' of Narcotic Drugs & Psychotropic Substances just like case management introduced in commercial suits by the Commercial Courts Act, 2015.

11. In Punjab Police Rules, 1934, Chapter XXVII deals with Prosecution and Court Duties. The Prosecuting Agency has been defined therein.

12. As per the 1934 Rules, a person of the rank of Deputy Superintendent of Police or Inspector heads Police Prosecuting Agency in each District. Statutory Police Rules cast duty upon such agency to prosecute, watch, or direct the prosecution of the case(s) in the Courts of the District, to keep the District Magistrate and the Superintendent of Police informed of all important matters in connection with criminal cases under trial, to see that the instructions in connection with the diet money and travelling expenses of the witnesses are duly observed and to maintain the register of warrants and summons received for execution and service by the Police.

13. Thus, in sum and substance, statutory rules provide for a prosecuting agency and the same is headed by a person of the rank of Deputy Superintendent of Police. Same is also evident from the affidavit



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furnished in present case by Senior Superintendent of Police, Tarn Taran, dated 13.02.2024 *ibid*. Thus, as a measure to make sure that the prosecution of the trials under NDPS Act especially involving ‘commercial quantity’ are not left to whims & caprice of official witnesses, this Court thinks it appropriate to issue following directions :

- (a) The police report filed before the Trial Court shall carry the details of officer heading the prosecuting agency.
- (b) The head of the prosecuting agency shall be responsible for supervising the progress of the trial.
- (c) On the day the Court frames charges, Court shall draw a schedule for management of the trial. The schedule shall be part of the order passed by the Trial Court framing the charges. While drawing the schedule, the Court shall fix the date for examination of each and every witness cited in the police report.
- (d) It will be the duty of the head of the prosecuting agency to make sure that the official witnesses are served and they appear before the Trial Court as per the schedule framed by the Trial Court. Their presence on the date be ensured. For the official witness, Court duty shall have priority over any other duty apart from call on account of emergency situation i.e. where State is facing some calamity or agitation etc. involving movement and commissioning of troops. In such case, presence of such witness shall be ensured on the next date as per schedule.

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- (e) Departmental action against erring officials who are cited witnesses and fail to attend the trial despite notice shall be initiated without any delay and their presence shall be secured on next date through warrants without disturbing the schedule.
- (f) Officer heading prosecution shall keep a note of the progress of trial, if satisfactory. If not, steps taken to ascertain the reasons and cause of delay.
- (g) Trial Court while framing schedule shall make sure that trial is concluded expeditiously preferably within 18 months from the date of presentation of complete Police Report and not later than 12 months from the date charges are framed.

14. The Trial Court may consider submission of counsel representing accused while fixing schedule. But the same is not mandatory and the schedule cannot be faulted on the ground that counsel for the accused was not heard or that the schedule is not as per his convenience.

15. Copy of this order be circulated to the Director General of Police, Punjab, Director General of Police, Haryana, Director General of Police, U.T., Chandigarh and all Session Judges at Session Divisions situated at Punjab, Haryana and U.T., Chandigarh for necessary compliance in trials under NDPS Act, 1985 involving 'commercial quantity' of Narcotic



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Drugs and Psychotropic Substances.

16. So far as the present matter is concerned, this Court is quite sanguine that the prosecuting agency shall abide by the affidavit filed by Senior Superintendent of Police, Tarn Taran dated 13th of February, 2024 and the prosecution evidence shall be concluded expeditiously preferably within three months from the date of receipt of certified copy of this order.

17. With the aforesaid observations, the present petition is disposed off.

February 13, 2024**(Pankaj Jain)**

Dpr

Judge

Whether speaking/reasoned : Yes

Whether reportable : Yes