

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SANJIV KUMAR SHARMA
2015.01.30 14:59
I attest to the accuracy and
authenticity of this document

CRM No. M-1039 of 2015 (O/M)
Date of decision : 29.1.2015

Amrik Kaur

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Jasbir Singh Dadwal, Advocate, for the petitioner.

Mr. Nikhil K. Chopra, Deputy A.G. Punjab.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH, J. (ORAL)

This is second petition filed by the petitioner for grant of regular bail in FIR No. 73 dated 4.5.2013, registered under Section 302 IPC (chargesheet under Sections 304-B, 498-A. 120-B IPC) at Police Station Sadar, Tarn Taran, District Tarn Taran, during the pendency of the trial. The first one was dismissed on merits by this Court on 31.10.2014, vide order passed in CRM No. M-16901 of 2014 (Annexure-P-3).

Learned counsel for the petitioner contends that after 31.10.2014, the complainant has not appeared in the Court for cross-examination and the prosecution has not examined any other witness. Therefore, the petitioner is entitled to grant of regular bail.

I am of the view that after the passing of first order by this Court on 31.10.2014, only little less than 3 months have passed. Therefore, it cannot be said that there is inordinate delay in examining the witnesses. Thus, the petitioner is not entitled to grant of bail on this ground.

Dismissed.

However, before parting with the order, the prosecution is directed to ensure that all the witnesses are produced before the trial Court on the date fixed and are examined. At the first instance, the prosecution shall procure the presence of the complainant and thereafter, the trial Court shall fix the consecutive date for examination of the remaining witnesses and the summons will be given dasti to the prosecution for producing those witnesses. The witnesses shall be produced accordingly. The trial Court is also directed to comply with the direction contained in the order passed by this Court on 31.10.2014 to hear the cases on day-to-day basis.

(KULDIP SINGH)
JUDGE

29.1.2015
sjks