

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

**Crl. Misc. No.M- 25307 of 2015
Date of decision : 20.11.2015**

Raj Kumar @ Nitu

.....Petitioner(s)

Versus

State of Haryana

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. G.S. Salwara, DAG, Haryana.

ANITA CHAUDHRY, J.

The petitioner is seeking regular bail in FIR No. 197 dated 18.06.2009, registered under Sections 148, 149, 302, 307, 120-B, 212, 404 IPC and 25 of the Arms Act, Police Station Sampla, District Rohtak.

Counsel for the petitioner urges that the petitioner is in custody for over six years and the first bail application was moved at the stage when the case was at a close but since subsequently applications were filed and supplementary challan was filed and still more than two dozen witnesses are yet to be examined and the case would take time. Counsel further urges that the co-accused with similar allegations had been allowed bail.

Status report from the trial Court had been called for and 15 pages report had been submitted by the trial Court which indicates the progress made in the trial. The initial stages were spent for securing the presence of accused who had absented. I find that number of adjournments were granted since some of the accused were not produced before the Court. Adjournments were also taken on behalf of the defence counsel for the cross-examination. The case had reached the stage of the statement of accused when application under Section 311 Cr.P.C. was moved which was allowed. After the list was exhausted now on 16.05.2015, the prosecution moved another application stating that there were supplementary challans and the witnesses indicated in that challan were never summoned. That application has been allowed wherein two dozen witnesses were sought to be examined. The State counsel informs that witnesses who have been additionally summoned are important witnesses and out of them six have already been examined.

The status report shows that now 20 witnesses remain to be examined out of which most of them are official witnesses. Considering the allegations against the petitioner who had been named by the co-accused and also by the private witnesses, I am not inclined to grant bail. However, the trial Court is directed to expedite the trial and take up day-to-day proceedings, if necessary and complete the trial within 4 months from the date of receipt of copy of this order.

20.11.2015

sunil

(ANITA CHAUDHRY)
JUDGE