

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

(219)

CRM-M-28463-2015

Decided on: November 02, 2015.

Charat Singh

.... Petitioner

Versus

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Jagjit Gill, Advocate, for the petitioner.

Mr. C.S. Bakshi, Addl. A.G., Haryana.

M.M.S. BEDI, J (ORAL)

The petitioner has been in custody w.e.f. 22.06.2013. Period of two and half years in custody have elapsed but it has been informed that out of 21 witnesses only 2 witnesses stand examined. The delay in conclusion of the trial is a matter of concern.

Learned counsel for the petitioner has submitted that the place of occurrence in the present case is the house of the petitioner where the complainant party had trespassed and caused injuries and made an attempt to outrage the modesty of the females. He has further submitted that there were eight cases pending against the deceased and twenty cases are registered against complainant Gurlal Singh. Gurlal Singh complainant is stated to have been examined.

Taking into consideration the facts and circumstances of the case, this Court is of the opinion that at the time of final adjudication of the

case, the controversy which is expected to be resolved would be whether it is a case of self-defence or a case where the said right has been exceeded. The said exercise can be undertaken only on appreciation of the evidence.

Taking into consideration the peculiar circumstances of this case and the status of the trial, I dispose of this petition with a direction that the trial Court shall expeditiously dispose of the case by recording the statement of all the witnesses by giving short dates of hearing. A fair opportunity should be given to the petitioner for cross-examination and produce defence evidence.

It is made clear that in case the trial is not concluded within a period of six months after the next date of hearing, it will be open to the petitioner to approach this Court for concession of bail.

(M.M.S. BEDI)
JUDGE

November 02, 2015
harsha