

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

CRM No.M-31678 of 2015
Date of decision: 30.10.2015

Kehar Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. N.S. Shekhawat, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana
assisted by ASI Satyapal.

Jitendra Chauhan, J. (Oral)

This the 4th bail application filed under Section 439 of the Code of Criminal Procedure, out of which one was filed under Section 438 Cr.P.C., the petitioner has sought regular bail in case FIR No.214, dated 03.10.2013, registered under Sections 419, 420, 467, 468, 471, 120-B and 506 IPC, at Police Station Kosli, District Rewari.

The learned counsel for the petitioner refers to the order dated 31.03.2015, passed by this Court whereby the trial Court was directed to conclude the trial expeditiously preferably within four months from the date of receipt of certified copy of the order and states that despite specific directions, the trial is moving at a snail speed. The other co-accused of the petitioner Kehar Singh and Ravinder have already been enlarged on bail by this Court. The petitioner is in custody since 06.05.2014.

On the other hand, the learned State counsel oppose the prayer of bail and states that the challan stands presented; charges have been framed; out of total 20 witnesses, three witnesses have been examined so far.

I have heard learned counsel for the parties and perused the record.

Keeping in view the fact that it is a magisterial trial, the petitioner is in custody since 06.05.2014 and presently he is not involved in any other FIR. There is no explanation by the trial Court as to why the directions issued by this Court were not complied with. Out of total 20 witnesses, only three have been examined so far, therefore, it can be safely inferred that the trial is not likely to be concluded in the near future, without adverting to the merits of the instant case, this petition is allowed. The petitioner be admitted to bail during the pendency of the trial, on his furnishing bail bonds and surety bonds, to the satisfaction of the trial Court.

The Registry is also directed to call for the comments from the concerned District Judge for not complying the directions of this Court.

30.10.2015

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(JITENDRA CHAUHAN)
JUDGE