

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

CRM No. M-3347 of 2015 (O&M)

Date of Decision:06.07.2015.

Rinku @ Rameshwar

... Petitioner

Versus

State of Haryana

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.S. Hooda, Advocate for the petitioner.

Mr. Satish Saini, DAG, Haryana.

Mr. Surinder Dagar, Advocate for the complainant.

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TEJINDER SINGH DHINDSA.J.

Petitioner, Rinku @ Rameshwar seeks the benefit of regular bail pending trial in case FIR No.142 dated 20.08.2014, under Sections 148/149/323/307/120-B IPC and Sections 25/25(54)/59 of the Arms Act, registered at Police Station Hassanpur, District Palwal.

As per prosecution version, the offence under Section 307 IPC has been cited on account of injuries having been suffered by Pratap Singh and which have been allegedly attributed to the present petitioner.

During the course of hearing today, it transpires that injured, Pratap Singh has not been examined before the trial Court on account of the fact that he is bed-ridden and not able to move and walk on account of alleged injuries sustained during the occurrence.

Counsel appearing for the complainant would submit that an application under Section 284 Cr.P.C. has already been filed before the trial Court for issuance of commission for examination of witness/injured, Pratap Singh and such application is still pending adjudication.

Having heard counsel for the parties, this Court is of the considered view that injured/witness, Pratap Singh would be a material witness and his deposition before the trial Court would be crucial insofar as considering the prayer of the present petitioner for regular bail.

Accordingly, present petition is disposed of as not pressed at this stage.

Meanwhile, trial Court is directed to expedite the hearing of the application moved on behalf of the complainant, Pratap Singh under Section 284 Cr.P.C. as regards examination of witness/injured, Pratap Singh. Such application be considered strictly in accordance with law and on merits and final order in relation thereto be passed within a period of four weeks from today.

Present petition is accordingly disposed of.

It would, however, be open for the petitioner to approach this Court afresh seeking benefit of regular bail after examination of witness/injured, Pratap Singh.

Disposed of.

06.07.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**