

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

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CRM-M-10659-2016

Date of Decision: April 21, 2016

SHIVDANI

...Petitioner

VERSUS

STATE OF HARYANA

...Respondent

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

Present: Ms. Savita Rana, Advocate
for the petitioner.

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

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

The petitioner is alleged to have purchased the child of complainant from kidnapper Santosh.

There are eight prosecution witnesses cited in the case. On instructions from Sub Inspector Vikrant, it has been informed by the State counsel that the last witness of the prosecution is being examined today before the trial Court.

Learned counsel for the petitioner, with reference to the statements of the prosecution witnesses already recorded, has submitted that it is improbable that child was recovered on 26.10.2015 by the police party from the petitioner in Bihar within a period of two days.

I have considered the contentions of the learned counsel for the petitioner. It will not be appropriate for this Court at this stage to appreciate the prosecution evidence and arrive at a conclusion regarding the culpability of the petitioner. Though, I have gone through the statements of the

complainant and her husband-Sanjay Paswan, made in the Court, and their cross-examination, but expression of opinion on appreciation of evidence is avoided at this stage lest it should prejudice the right of the prosecution or the petitioner.

This petition is disposed of with a direction to the trial Court to conclude the trial within a period of two months after the next date of hearing fixed before the trial Court. In case the trial is not concluded, for any reason, within the period of two months from the next date of hearing, the trial Court shall release the petitioner on bail on his furnishing bail bonds/surety bonds to the satisfaction of the trial Court.

(M.M.S. BEDI)
JUDGE

APRIL 21, 2016
Rajneesh