

CRM-M-11584-2016

Date of Decision : 11.05.2016

Iqbal Singh

.....Petitioner

versus

State of Haryana

....Respondent

CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI**Present:** Mr. Sanskar Kundu, Advocate
for the petitioner.

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

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

Petitioner is alleged to have made a disclosure statement to the effect that he along with other accused committed robbery of the truck resulting in murder of driver and his conductor.

Petitioner has been in custody with effect from 03.07.2015 for having been attributed role of conspirator with other accused. The case of the prosecution is based on circumstantial evidence. The petitioner is facing trial along with four other co-accused. Prosecution agency has examined only five witnesses out of 49.

It will be premature, at this stage, to *prima facie* determine the culpability of the petitioner on the basis of circumstantial evidence which is gathered by the prosecution agency. The trial Court, in said circumstances, can be directed to conclude the trial expeditiously, preferably, within a period of four months after the next date of hearing. In case, all the prosecution witnesses are not examined within a period of four months, after the next date of hearing, the petitioner will be entitled to seek bail afresh on expiry of four months.

The above said approach has been adopted in the present case, in view of the peculiar circumstances of this case as the culpability of the petitioner is to be determined on the basis of only circumstantial evidence which is generally taken to be weak type of evidence.

Disposed of with above said liberty to the petitioner to approach this Court again after expiry of four months, as observed hereinbefore.

(M.M.S. BEDI)
JUDGE

11.05.2016
Neha