

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

(121)

CRM-M-13093-2016

Decided on: May 09 2016.

Jastinder Singh @ Shinder

.... Petitioner

Versus

State of Punjab

..... Respondent

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

Present: Mr. Kawaljyot Singh, Advocate, for the petitioner.

Ms. Harpreet Kaur Athwal, DAG, Punjab.

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

Learned counsel for the petitioner has inter alia argued that the allegation against the petitioner is that he along with 19-20 other people created nuisance in a marriage party and had fired in the air with pistols, revolvers and rifles, as a result of which Maninder Singh son of Jagir Singh, unfortunately, died during the scuffle. He has further submitted that main accused Paramjit Singh @ Pamma, who had fired at the deceased, was witnessed by two material witnesses who have turned hostile and not supported the case of prosecution.

On merits, it has been argued that the petitioner has been attributed fires in the air with the gun of Gurdeep Singh.

I have heard learned counsel for the petitioner and learned State counsel. It appears that only official witnesses remain to be examined. It will not be appropriate for this Court to enter into the niceties of the trial

to appreciate the evidence to arrive at a conclusion that the petitioner could be given benefit of doubt without taking into consideration the entire evidence which is available on the record. The only appropriate relief which could be granted in the present circumstances would be to issue a direction to the trial Court to expeditiously record the statements of the remaining official witnesses and decide the case within a period of two to three months and in case the trial is not concluded within said period, it will be open to the petitioner to approach this Court again.

Disposed of with the aforesaid directions.

(M.M.S. BEDI)
JUDGE

May 09, 2016
harsha