

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

(117)

CRM-M-32532-2015

Decided on: February 17, 2016.

Bhola @ Narsingh

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. Rajbir Sehrawat, Advocate, for the petitioner.

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

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

The petitioner has been in custody w.e.f. 26.11.2014 in a case registered at the instance of Daya Nand alleging that his son Vinod had gone with the petitioner on 23.11.2014. They returned at about 8:00/9:00 P.M. and son of the complainant pillion-rider left the home. He was later on allegedly killed by pushing him in the canal by the petitioner and his co-accused.

Learned counsel for the petitioner submits that the petitioner has been involved in the case on the basis of misguided suspicion and on account of vindictiveness at the instance of the complainant who is a retired police official. Counsel for the petitioner has referred to cross-examination of complainant PW-6 to substantiate his argument that statement of complainant regarding deceased having last seen with the petitioner is inadmissible being a hearsay evidence.

I have heard learned counsel for the petitioner.

The prosecution agency has examined nine witnesses out of nineteen witnesses. The evidence collected against the petitioner is in the shape of circumstances of last seen; recovery of mobile and earlier motive.

Avoiding to express any opinion on merits by appreciating the evidence already led, lest it should prejudice the right of the prosecution agency or the petitioner in any manner, I deem it appropriate to dispose of this petition at this stage with a direction to the trial Court to conclude the trial within a period of six months after the next date of hearing by giving short dates of hearing. In case, the trial is not concluded within a period of six months after the next date of hearing, it will be open to the petitioner to approach this Court again for grant of bail during pendency of the trial.

(M.M.S. BEDI)
JUDGE

February 17, 2016
harsha