

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

(205)

CRM-M-34595-2016

Decided on: November 04, 2016.

Mohan

.... Petitioner

Versus

State of Haryana

..... Respondent

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

Present: Mr. S.K. Panwar, Advocate, for the petitioner.

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

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

Learned counsel for the petitioner has submitted that the petitioner has been in custody w.e.f. 25.03.2013 in a case which is based only on weak circumstantial evidence.

It has been informed by the learned State counsel that out of total 23 prosecution witnesses, 22 stand examined and the next date of hearing before the trial Court is 11.11.2016.

I have considered the facts and circumstances of the case and I am of the opinion that it will not be appropriate for this Court, at this stage, to enter into the niceties of the trial to determine the culpability of the petitioner on the basis of the alleged circumstantial evidence produced during the trial, lest it should prejudice the right of the prosecution agency or the petitioner at the trial.

Without expression of any opinion on merits of the case, this petition is disposed of with a direction that the trial Court shall conclude the trial within a period of two months after the next date of hearing by giving

fair opportunity to the petitioner to produce defence evidence. In case, the trial is not concluded within a period of two months after the next date of hearing, it will be open to the petitioner to approach this Court again for grant of bail.

(M.M.S. BEDI)
JUDGE

November 04, 2016

harsha

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No