

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-40432 of 2015

Date of Decision: February 18, 2016

Mukesh

.....Petitioner

Vs.

State of Haryana

.....Respondent

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

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Present:- Mr.S.S. Momi, Advocate
for the petitioner.

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

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

Counsel for the petitioner has inter-alia argued that the medical evidence produced regarding sodomy is not supportive of the story of the prosecution and that there are number of contradictions in the version of prosecution witnesses and the circumstances brought on the record. Statement of Gian Singh, complainant, has been recorded on oath. The victim has not yet been examined.

Without expression of any opinion on merit, I am of the opinion that it will not be appropriate for this Court to enter into the niceties of the

trial to determine the contradictions as pointed out by the counsel for the petitioner in the medical and ocular version especially when the victim has not yet been examined lest it should prejudice the rights of the prosecution agency or the accused.

Interests of justice would be adequately met in case this petition is disposed of with a direction that the trial Court shall make earnest endeavour to conclude the trial in the present case within a period of three months after the next date of hearing i.e. by May 28, 2016. In case for any reason the trial is not concluded by May 28, 2016, the trial Court shall release the petitioner on bail on his furnishing bail bonds/ surety bonds to the satisfaction of the trial Court. Ordered accordingly.

February 18, 2016
sanjay

(M.M.S.BEDI)
JUDGE