

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23627 of 2017
Date of Decision: 29.11.2017

Tarsem Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CRM-M-41015 of 2017

Kailash Kaur

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Gurmeet Singh Saini, Advocate,
for the petitioner (in CRM-M-23627 of 2017).

Mr. Judgepreet Singh Warring, Advocate,
for the petitioner (in CRM-M-41015 of 2017).

Mr. Sandeep Mann, A.A.G., Punjab

AMOL RATTAN SINGH, J. (ORAL)

Pursuant to the order dated 10.11.2017, passed in CRM-M-23627 of 2017, the report of the trial Court (Additional District & Sessions Judge-I, Fazilka), has been received, stating therein that 10 prosecution witnesses out of 20 have been examined in the ongoing trial against the petitioners in these two petitions, with both learned counsel for the petitioners in these petitions, including learned counsel for the State, on instructions, not denying that between the time

was withdrawn, and today, only 02 witnesses have been examined.

The remaining witnesses as per learned State counsel are only official witnesses.

Keeping in view the aforesaid, with 07 witnesses still remaining to be examined, as per the trial Court itself, and the petitioners having remained in custody for about 2 ½ years as is not denied by the respondent-State, these petitions are allowed.

Petitioner Tarsem Singh (in CRM-M-23627 of 2017) and petitioner Kailash Kaur (in CRM-M-41015 of 2017) shall be admitted to bail upon their furnishing adequate bail bonds and surety bonds to the satisfaction of the learned trial Court.

Before disposing of these petitions completely, it needs to be noticed that the trial Court in its report dated 17.11.2017 has not given any data whatsoever, as to how many witnesses were examined between 30.03.2017 till the date of the report, and why only two witnesses were examined in that period as is contended by the learned counsel for the petitioners.

Learned Additional District Judge, Fazilka, is advised that when a report is called for by this Court, it is expected that a detailed report shall be given and not simply a 'summarized glossary' of the stage of the trial.

November 29, 2017
nitin/vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No.