

CRM-M-5270 of 2018

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Manoj Kumar
18.02.16 12:00
I attest to the accuracy and
integrity of this document

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

CRM-M-5270 of 2018

Date of Order: 14.02.2018

Suraj

....Petitioner

Versus

State of Haryana

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Amandeep Singh Gulati, Advocate
for the petitioner.

Mr.B.S. Virk, DAG, Haryana.

AMOL RATTAN SINGH, J (ORAL)

Learned counsel for the petitioner submits that the petitioner having been in custody for about one year, and the complainant allegedly having got the "Trolla" recovered without the presence of the alleged eye-witness, i.e the cleaner of the vehicle, the entire version of the complainant is not believable.

On the other hand, learned counsel for the State, on instructions, submits that both the complainant and the aforesaid alleged eye-witness have testified before the trial Court in support of their respective statements against the petitioner and his co-accused.

In rebuttal, learned counsel for the petitioner points to the statement of eye-witness Shekhar, a copy of which is annexed as Annexure P.2. He submits that though he eventually stated that

the petitioner and his co-accused Sunil had strangulated the deceased, Angad, however, he initially stated that he was sleeping on the rear seat of the Cabin.

Having considered the aforesaid, without making any comment on the actual merits of the case, I do not find it appropriate to admit the petitioner to bail at this stage.

Consequently, the petition is dismissed at this stage. However, since the petitioner is stated to have already been in custody for about one year, the trial Court is directed to expedite the trial and ensure that it is concluded within a period of six months.

The Commissioner of Police, Faridabad, is directed to ensure that all police officials as are summoned to testify before the trial Court duly appear on the dates they are so summoned, failing which an explanation shall be forthcoming to this Court as to why the police officials do not testify when summoned to do so.

February 14, 2018
manoj

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No