

S.No.218

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

CRM-M-28553 of 2019 (O&M)

Date of Decision:15.07.2019

Tosif alias TosibPetitioner

Vs.

State of HaryanaRespondent

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Rajesh Bansal, Advocate
for the petitioner.

Mr. Vikas Malik, DAG, Haryana.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 439 Cr.P.C for grant of bail pending trial in case FIR No.77 dated 07.08.2013 registered under Sections 395, 397 IPC (Section 25 of Act No.54 of Arms Act, 1959 added later on) at Police Station Panipat, District GRP Ambala Cantt.

Learned counsel for the petitioner submits that name of the petitioner has been wrongly involved in this case. It is further submitted that even the prosecution witnesses who have been examined before the Court, have not supported the case of the prosecution. Hence, the petitioner deserves to be released on bail.

On the other hand, learned State Counsel, submits that the other co-accused have been tried and they have already been convicted. However, the present petitioner remained proclaimed offender for a long time. He has been apprehended only on 22.08.2018. Thereafter, the prosecution is taking every effort in the right earnest to conclude the trial at the earliest possible. He further submits that witnesses of the prosecution

are being examined and the prosecution evidence would be completed at the earliest possible.

In view of the above, this Court does not find it appropriate to interfere at this stage.

On being confronted with the situation, learned counsel for the petitioner submits that he be permitted to withdraw the present petition. However, the trial Court be directed to complete the trial within a time bound frame.

This Court finds substance in the above submission of learned counsel for the petitioner.

Accordingly, the present petition is dismissed as withdrawn. However, it is directed that the prosecution shall complete its entire evidence within a period of four months from today.

July 15, 2019
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No