

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

CRM-M No.46973 of 2019 (O&M)
DATE OF DECISION : 5th DECEMBER, 2019

Shakti Singh

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

* * * *

Present : Mr. Shiva Khurmi, Advocate for the petitioner.

Mr. Chetan Sharma, AAG, 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.22 dated 07.01.2018 registered under Sections 395 & 397 IPC, at Police Station Sector 5, District Gurugram.

Counsel for the State has pointed out that there are two more cases of similar nature against the petitioner. Still further, it is pointed out that the prosecution had moved an application for test identification parade. However, the petitioner had refused to participate in the same. The charges have been framed. Therefore, the prosecution would move its evidence in the right earnest. In any case the prosecution shall examine all its witnesses within six months.

In view of the above, at this stage, this court does not deem it appropriate to interfere and to release the petitioner on bail.

However, this court finds substance in the argument of the counsel for the petitioner that the petitioner is being unnecessarily

incarcerated since 09.01.2018. Hence, the proceedings of the trial court deserve to be expedited, with a preemptive order of grant of bail in favour of the petitioner.

Accordingly, it is ordered that the trial court shall complete the trial, positively, within a period of next six months, starting from today. It is further ordered that in case the prosecution does not complete its evidence within this period of six months and the petitioner is not at fault in this regard, then the trial court shall release the petitioner on bail on his furnishing bail bonds/surety to its satisfaction.

Disposed of with the above said directions.

5th DECEMBER, 2019
‘raj’

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>