

**105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
(through video conferencing)**

CRM-M-20490-2020
Decided on : 14.09.2020

Shamsher Singh @ Sheru

..... Petitioner

Versus

State of Haryana

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Gourav Jain, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

Manjari Nehru Kaul, J.

Instant petition has been filed under Section 439 Cr.PC for grant of regular bail to the petitioner in case FIR No.174 dated 19.04.2019 Under Sections 376, 506 IPC (however Section 376 (2)(f) added later on instead of 376 IPC) registered at Police Station City Tohana Distt Fatehabad.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question. He further contends that the FIR in question has been registered due to property dispute between the petitioner and the family of the victim. It has also been contended that the petitioner has been in custody since 19.04.2019 and even after a lapse of 1½ years (approx.), the trial has not been able to make much headway. Hence, it has been prayed that the concession of regular bail be extended to the petitioner.

Per contra, learned State counsel on instructions from SI Sumer Singh has apprised this Court that on the request of the defence counsel, the

case was adjourned before the trial Court as they wanted the evidence of the complainant to be recorded only after the receipt of DNA report, which has still not been received.

Heard.

Prima facie there are serious allegations levelled against the petitioner in the FIR in question and since the witnesses are yet to be examined, this Court is not inclined to extend the concession of regular bail to the petitioner.

Accordingly, the present petition stands dismissed. However, keeping in view the fact that the petitioner is in custody for the last more than 1½ years, the trial Court is directed to make all endeavours to expedite and conclude the trial preferably within five months from the date normal functioning is resumed in the Courts below.

(MANJARI NEHRU KAUL)
JUDGE

14.09.2020

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Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No