

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

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**CRM-M-22472-2020 (O&M)
Decided on : 24.09.2020**

Anil

... Petitioner

Versus

State of Haryana

... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. K.D. Sehra, Advocate for the petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr. Sanjiv Gupta, Advocate for the complainant.

(The proceedings are being conducted through
video conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present petition filed under Section 439 Cr.P.C., seeks grant of regular bail in case FIR No.239 dated 08.05.2017 under Sections 148, 149, 307, 323, 342, 365 IPC and under Sections 25, 27, 54 and 59 of Arms Act, 1959 registered at Police Station Rai, Sonipat.

On 14.08.2020 the following order was passed:-

“Counsel submits that the petitioner has not been named in the FIR and he is seeking regular bail in the present case and only the prayer for interim bail was made before the Additional Sessions Judge, Sonapat, which has been declined vide order dated 29.07.2020 (Annexure P-5). A perusal of order passed in CRM-M-14342-2020 titled as Jagmohan Vs. State of Haryana would go on to show that the complainant was examined on 29.05.2018 and in view of the said deposition, the said petition had been dismissed as withdrawn on 27.07.2020.

Notice of motion.

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Mr. Rajeev Goel, DAG, Haryana, accepts notice on behalf of the State.

State shall file affidavit and give details whether the petitioner's regular bail has been dismissed by the Courts below or not on merits. File of case bearing CRM-M-14342-2020 be also attached with the present case.

Adjourned to 24.09.2020.”

Counsel submits that his case be treated as a case for interim bail, as admittedly he has not filed petition for regular bail before the Sessions Judge, Sonipat. In the alternative, it is argued that directions be issued as such to the trial Court to expedite the proceedings, since he is in custody from 08.05.2017.

The status report filed by way of affidavit of Mr. Hans Raj, HPS, Deputy Superintendent of Police, Detective, Sonipat, would go on to show that the case is pending for defence evidence, if any and arguments. Even otherwise the case is stated to be listed for the said purpose even today.

Accordingly, keeping in view the above, this Court is of the opinion that it would be just and expedient that if the Trial Court concludes the proceedings and disposes off the case within a period of 2 months from the date of receipt of the certified copy of this order, as the trial has been pending for the last 3 years.

The petition stands disposed of, accordingly.

SEPTEMBER 24, 2020

Naveen

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No