

211

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

(Through video conferencing)

**1. CRM-M No.12879 of 2021
Date of Decision: 12.11.2021**

Jagtar Singh

.....Petitioner

Vs

State of Punjab and anotherRespondents

2. CRM-M No.21556 of 2021 (O&M)

Charan Singh

.....Petitioner

Vs

State of Punjab and anotherRespondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Anmol Rattan Sidhu, Sr. Advocate with
Mr. Sukhchain Gill, Advocate
for the petitioner in CRM-M No.12879 of 2021.

Mr. Hemant Bassi, Advocate and
Ms. Ashima, Advocate
for the petitioner in CRM-M No.21556 of 2021 (O&M).

Mr. T.P.S. Chawla, D.A.G., Punjab.

Mr. P.S. Ahluwalia, Advocate
for the complainant.

RAJ MOHAN SINGH, J.

CRM Nos.21848 & 18000 of 2021 in CRM-M No.21556 of

2021

For the reasons mentioned in the applications, the same are allowed. Accompanying documents are taken on record, subject to all just exceptions.

Main case(s)

Vide this common order CRM-M Nos.12879 and 21556 of 2021 (O&M) are being decided as both the petitions have arisen out of one FIR.

Petitioners pray for the grant of regular in their Second attempt under Section 439 Cr.P.C. in case bearing FIR No.87 dated 18.11.2018 registered under Section 302 IPC and Sections 25, 27 of the Arms Act (Offences under Sections 420, 467, 468, 471, 473, 120-B IPC added later on and Section 27 of the Arms Act deleted later on) at P.S. Sadar Rajpura, District Patiala. (Charges framed under Sections 120-B, 302, 420, 468, 482 IPC and Section 25 of the Arms Act).

Vide order dated 22.12.2020, prayer for regular bail was declined to the petitioners at that stage.

Learned counsel for the petitioners submitted that as on date, petitioners have completed about three years of incarceration. Material witnesses have been examined and their

further detention in jail would be on account of punishment only.

The trial of the case may take some time in its culmination.

Vide order dated 02.07.2021, complainant was ordered to be impleaded as party-respondent No.2. Thereafter on 22.07.2021, learned counsel for the complainant apprised this Court that out of total 62 prosecution witnesses, 17 witnesses had already been examined and 4 more witnesses were examined on 19.07.2021. The trial was blocked for two consecutive dates i.e. 21.08.2021 and 02.09.2021 for examination of 10 more prosecution witnesses. Both the cases were thereafter adjourned.

Today, learned counsel for the complainant submitted that out of total 62 prosecution witnesses, 23 witnesses have already been examined. 23 prosecution witnesses have been given up and 7 prosecution witnesses have been summoned for 16.12.2021. 3 prosecution witnesses have been summoned for 06.01.2022 and there is every possibility that after examination of the aforesaid summoned prosecution witnesses on these two dates, the remaining witnesses would be examined very shortly.

The status of the trial as submitted on 22.07.2021 and today i.e.12.11.2021 would show that there is a mark improvement in the trial even after restricted mode of functioning of the Court. The earlier petitions for bail were

dismissed.

In view of aforesaid facts, I deem it appropriate to dismiss both the petitions, however with a request to the trial Court to summon the remaining witnesses after 06.01.2022 for shorter date and make every endeavour to conclude the prosecution evidence at the earliest by giving short adjournments.

November 12, 2021

Atik

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No