

205.

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

CRM-M-12276-2022

Date of Decision: 14.09.2022

SUNIL

.... Petitioner

Versus

STATE OF HARYANA

.... Respondent

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanyam Khetarpal, Advocate,
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

JAISHREE THAKUR.J (Oral)

This is third petition that has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner, pending trial, in case FIR No.363, dated 09.06.2016, registered under Sections 148, 149, 323, 341, 302 IPC and Section 25 of the Arms Act, 1959, at Police Station Sadar Palwal, District Palwal.

Learned counsel appearing on behalf of the petitioner would vehemently argue that the petitioner has been in custody for over 5 years and despite directions of this Court, trial is not proceeding ahead. It is argued that on the length of custody, the petitioner be allowed regular bail.

On the other hand, learned State counsel would oppose the bail application by contending that the petitioner herein is the person who had fired upon the deceased and there is eye witness account to this effect.

Without going into much details, this Court is not inclined to allow regular bail to the petitioner as there is no change in circumstances after dismissal of earlier bail applications of the petitioner especially when the material witness especially the eye witness is yet to be examined. However, it is reiterated that the trial Court shall make every endeavour possible to have the statement of the material witnesses recorded expeditiously. This was the similar order that was passed on 16.07.2020 in CRM-M-16949 of 2020. It appears that no steps have been taken in that regard.

The petition stands dismissed with the observations as aforesaid.

14.09.2022
sanjeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No