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

CRM-M-27830-2021

Date of decision : 24.02.2022

Bhupinder Singh Gill

...Petitioner

Versus

Union Territory of Chandigarh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sangram Singh Saron, Advocate for the petitioner.

Mr. Sumit Jain, Addl. PP UT Chandigarh.

Ms. Ekta Thakur, Advocate for respondent No.2.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is a petition filed under Section 439(2) read with Section 482 of Cr.P.C. for cancelling the concession of regular bail granted to respondent No.2 vide order dated 27.04.2021 (Annexure P-13) passed by the Judicial Magistrate Ist Class, Chandigarh emanating from FIR No.120 dated 08.06.2010 registered under Sections 323, 342, 365, 380, 420, 448, 452, 506 and 120-B of the Indian Penal Code, 1860 at Police Station Sector-3, Chandigarh.

Learned counsel for the petitioner has pointed out that the present FIR was registered in the year 2010 and the challan in the case was

presented on 16.02.2011 (Annexure P-6) and the charges were framed on 07.02.2014 (Annexure P-7). It is submitted that the petitioner stopped appearing before the Court and he was ultimately declared as Proclaimed Person on 20.01.2017 (Annexure P-9) and was arrested after a period of four years on 17.03.2021 and thereafter, was granted bail on 27.04.2021. It is further pointed out that on three dates i.e. on 22.11.2021, 02.12.2021 as well as on 20.12.2021, the petitioner had sought personal exemption from appearance. It is submitted that now, the statement under Section 313 of Cr.P.C. has been recorded and some defence witnesses have been partly examined but one defence witness remains to be examined. It is further submitted that although, his initial prayer was for challenging/setting aside the order dated 27.04.2021 but the petitioner would be satisfied in case, the present petition is disposed of with a direction to the trial Court to decide the case as expeditiously as possible within a period of three months from the date of receipt of certified copy of the present order. It is also prayed that respondent No.2 be directed to appear on each and every date before the trial Court and to lead and conclude his entire evidence as expeditiously as possible.

Learned counsel for respondent No.2 has submitted that only one defence witness is left and she assures that since only one witness is left, respondent No.2 would appear on each and every date and would conclude his entire evidence within a period of six weeks from today and she does not have any objection in case the trial Court is directed to decide the case as expeditiously as possible preferably within a period of three months from the date of receipt of certified copy of the present order.

Learned counsel for UT Chandigarh has submitted that he also has no objection to the said course of action.

Keeping in view the abovesaid facts and circumstances, moreso, the fact that the FIR in the present case is of the year 2010, the trial Court is directed to decide the case and conclude the trial of the case as expeditiously as possible preferably within a period of three months from the date of receipt of certified copy of the present order.

Respondent No.2 is directed to appear on each and every date before the trial Court and to lead and conclude his entire evidence as expeditiously as possible within a period of six weeks from today.

The petitioner, UT Chandigarh and respondent No.2 are further directed not to seek an adjournment and to help the Court in finally adjudicating the matter within the aforesaid period.

In view of what has been observed above, the present petition is disposed of.

24.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No