

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.219

CRM-M-30110-2022

Date of decision: 29.10.2022

Deepak Raj @ Deepak Kumar @ Vipy

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vipin Mahajan, Advocate, for the petitioner.

Mr. Vinay Kumar Gupta, AAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 439 Cr.P.C. for the grant of regular bail in FIR No.67 dated 16.12.2019 registered under Section 304 IPC at Police Station Behrampur, District Gurdaspur.

The petitioner is being prosecuted under Section 304 IPC for culpable homicide not amounting to murder.

At the outset, learned State counsel submits that in the petitioner's trial the entire prosecution evidence has already been led and therefore, at its fag end, the petitioner be not granted bail.

Learned counsel for the petitioner does not dispute the above statement made by the learned State counsel but states that since the Presiding Trial Judge before whom the petitioner's trial was being listed was suspended on 16.09.2022 the petitioner's trial is lingering on and this is in spite of the fact that the petitioner has already suffered incarceration for over 02 years and 10 months.

On one hand, the petitioner is being prosecuted under Section

304 IPC and in his trial the entire prosecution evidence has been led whereas on the other hand, for the last over a month, the petitioner's trial has come to a virtual stand still due to suspension of the Trial Judge.

After considering the above facts in their totality the present petition is disposed of with a direction to the District and Sessions Judge, Gurdaspur to ensure early listing of the petitioner's trial before an appropriate Court which in turn is directed to dispose of the same within two months from the date of its initial listing, in accordance with law.

October 29, 2022
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(DEEPAK SIBAL)
JUDGE

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