

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

222

CRM-M-35577-2021

Date of Decision: 07.04.2022

Harjinder Singh @ Happy

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Umesh Sharma, Advocate, for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

At the very outset, learned counsel for the petitioner submits that he may be permitted to withdraw the instant petition at this stage. He has, however, pointed out that the trial is proceeding at a snail's pace although the petitioner has been behind bars since the last about 3 years and has, thus, requested that some directions may be issued for expeditious disposal of the trial.

In view of the aforesaid submission, the petition is dismissed as withdrawn at this stage.

Since learned State counsel has informed that as on date only 4 PWs out of cited 13 PWs have been examined and that the complainant has not been examined so far, the prosecution is directed to ensure the presence of all the remaining PWs before the trial Court on the dates as may be fixed by the trial Court for recording prosecution evidence. The trial Court shall frame a schedule of dates in advance for

calling the witnesses and shall also endeavour to record the statements of the PWs whose presence is duly secured. Special Messengers be deputed for securing the presence of the PWs. If being necessary, a letter may be written to the Senior Superintendent of Police, concerned, for doing the needful for ensuring timely presence of PWs. The District Attorney concerned to also look into the matter for the purpose of securing the presence of the remaining PWs.

Needless to mention, in case there is inordinate delay in conclusion of trial, it shall be open to the petitioner to approach this Court again seeking grant of regular bail.

Since learned counsel for the petitioner has submitted that he has instructions to the effect that the complainant is perhaps lodged in some jail, the Presiding Officer of the trial Court shall ensure that requisite production warrants for producing the complainant for the purpose of recording his statement are issued at the earliest so that there is no further delay in conclusion of trial.

07.04.2022

Vimal

**(GURVINDER SINGH GILL)
JUDGE**Whether speaking/reasoned: **Yes/No**Whether reportable: **Yes/No**