

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

202

CRM No.38221 of 2021
Date of decision : 08.02.2022

Khem Singh @ Shanty

.....Petitioner

VERSUS

State of U.T.Chandigarh

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Ms.Prabhjot Kaur, Advocate, for the petitioner.

Mr.Rajeev Anand, APP U.T.Chandigarh.

VINOD S. BHARDWAJ, J. (Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Prayer in the instant petition filed under Section 439 Cr.P.C., is for grant of Regular Bail to the petitioner/accused in case FIR No.91 dated 12.04.2018 under Sections 365, 302, 201 and 34 IPC, registered at Police Station Maloya, U.T.Chandigarh.

Learned counsel appearing on behalf of petitioner places reliance on the custody certificate furnished by learned APP, U.T. Chandigarh, to contend that the trial has been pending for long and that the petitioner has already undergone custody of 3 years, 9 months and 20 days.

Learned APP, U.T. Chandigarh, on the other hand, submits that there are as many as 36 witnesses and 23 have already been examined, 6 witnesses have been given up and only the official witnesses remain to be examined. The case is stated to be fixed for 11.02.2022 for examination of

the remaining prosecution witness. Learned APP appearing for U.T.Chandigarh, undertakes that the official witnesses shall be examined expeditiously either on the date fixed or the next date as may be fixed by the Court.

Keeping in view the stage of trial and the statements so made by the learned APP, U.T. Chandigarh, alongwith his assurance to conclude the examination of prosecution witness in a time bound manner and in any case within two hearings, I do not deem it fit and appropriate to enlarge the petitioner on bail at this stage. The trial Court is however, requested to take appropriate steps for expeditious disposal of the trial and to conclude it in a time barred manner. Needless to mention that the State shall remain bound by the statement made by the learned APP, U.T. Chandigarh.

The petition is accordingly dismissed at this stage with observation as aforesaid.

(VINOD S. BHARDWAJ)
JUDGE

08.02.2022
anil

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