

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

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**CRM-M-33591-2022
Date of Decision: 13.12.2022**

RAJIV @ RAJU

... Petitioner

VERSUS

STATE OF HARYANA

... Respondent

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

Present: Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

VINOD S. BHARDWAJ, J. (ORAL)

This is a second petition filed under Section 439 of Criminal Procedure Code, 1973 seeking grant of regular bail to the petitioner in a case arising out of FIR No.356 dated 11.06.2020 under Sections 302,307, 341, 34 of the Indian Penal Code, 1860 registered at Police Station Shivaji Colony, Rohtak.

The earlier bail petition bearing No.CRM-M-47786-2021 was withdrawn on 05.04.2022. It was specifically noticed that out of total of 24 witnesses, 15 witnesses had already been examined till then.

Learned State Counsel, however, contends that the attribution against the petitioner is that he had fired shots on deceased Devender @ Phula and that recovery of the weapon used in the commission of the offence was effected at the instance of the petitioner. Besides, as per the FSL report, the said weapon is stated to have been used in the commission of the offence as well.

He further avers that 18 witnesses out of total 24 witnesses have already been examined till date and the case is now fixed before the trial Court on 13.01.2023 for recording of the prosecution evidence of the remaining witnesses. He submits that the prosecution shall make every endeavour to conclude its prosecution evidence in a time bound manner and preferably within a period of three months from the date next fixed before the trial Court.

In view of the above statement made by the learned State Counsel, learned counsel for the petitioner does not press the instant petition at this stage.

Disposed of as not pressed at this stage.

The respondent-State shall, however, remain bound by its statement and conclude its evidence expeditiously and preferably within a period of three months from the date next fixed before the trial Court.

13.12.2022
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No