

218 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37855-2022

Date of Decision: 31st August, 2022

Talwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. A.S. Brar, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN , J.(Oral)

1. This third petition is filed seeking regular bail in case FIR No. 64, dated 8th April, 2017, under Section 307, 506, 447, 511, 148 and 149 of Indian Penal Code, 1860, (Section 302 IPC added lateron after deleting Section 307), registered at Police Station Dharamkot, District Moga.
2. In the second bail petition in CRM-M-1242-2021, following order was passed:-

“This second petition under Section 439 Cr.P.C. is filed seeking regular bail in FIR No. 64 dated 08.04.2017 under Sections 307, 506, 447, 511, 148, 149 IPC (Section 302 IPC added later on after deleting Section 307) registered at Police Station Dharamkot, District Moga.

Learned counsel for the petitioner submits that petitioner is in custody for more than four years and the trial is not proceeding.

Learned State counsel on instructions refutes the contention raised by counsel for the petitioner and submits that prosecution evidence is completed and the matter is fixed for recording of statement under Section 313 Cr.P.C..

Learned counsel for the petitioner submits that matter is not being taken up by the Court concerned.

Since the prosecution evidence is complete, the ball is in the court of the petitioner. There is no doubt, if a request is made before the Court concerned for earlier disposal, the same would be considered in accordance with law.

No further direction is required.

Disposed of.”

3. Learned counsel for the petitioner on instructions submits that the defence evidence is complete but the trial has not been concluded.
4. Considering that the FIR is of 2017 and the petitioner is in custody since April, 2017, there is no doubt that the trial Court with the co-operation of the parties would make an endeavour to conclude the trial expeditiously without granting undue adjournments.
5. The petition is disposed of.

(AVNEESH JHINGAN)
JUDGE

31st August, 2022
Parveen Sharma

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