

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

CRM-M-41571-2021(O&M)

Date of decision: 06.01.2022

Narinder Singh @ Ninder

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Manoj Pundir, Advocate for the petitioner.

Mr. Davinder Bir Singh, DAG Punjab.

Mr. J.S. Dhaliwal, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Petitioner has filed this third petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No. 40 dated 18.04.2017, registered under Section 302 IPC (later on challan was presented under Sections 302, 34 IPC and charges were framed under Sections 302, 382, 460 and 34 IPC), at Police Station City Rampura, District Bathinda.

Vide order dated 12.11.2020 (Annexure P-5) passed by a Coordinate Bench in CRM-M-36401-2020, the trial Court was directed to make every endeavour to complete the trial as expeditiously as possible and preferably within a period of three months from the date of communication of the order.

Learned State counsel assisted by the learned counsel for the complainant, points out that from 18.12.2020 to 23.12.2021, no defence

witness was produced before the learned trial Court and it is the defence counsel appearing on behalf of the petitioner before the learned trial Court, who has been taking dates for the last one year. Now, the learned counsel for the petitioner has filed the present petition for the grant of regular bail, on the ground that it is the prosecution, which is delaying the matter.

I have heard the learned counsel for the parties.

As noticed above, the trial Court was directed to make every endeavour to complete the trial as expeditiously as possible and preferably within a period of three months, but as per the zimni orders passed by the trial Court received in the whatsapp group, the defence witnesses have not been produced for the last one year and thus, the matter is being delayed.

Faced with the situation that this Court is not inclined to grant any relief to the petitioner as prayed for, learned counsel for the petitioner submits that he may be permitted to withdraw the petition at this stage.

Request is declined.

Since the petitioner has not approached this Court with clean hands, I do not find any ground to grant him the concession of regular bail.

The present petition is dismissed with a cost of Rs. 10,000/- to be deposited by the petitioner with the Lawyers' Welfare Fund, Punjab and Haryana High Court, Chandigarh.

(HARNARESH SINGH GILL)
JUDGE

06.01.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No