

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CRM-M-12685-2021 (O&M)  
Date of decision: 31.08.2023

Ashok Kumar ...Petitioner  
Versus

State of Punjab ...Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. C.S. Rana, Advocate and  
Mr. Pushpinder Kaushal, Advocate for the petitioner.  
  
Mr. C.L. Pawar, Addl. AG Punjab.

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**HARNARESH SINGH GILL, J. (ORAL)**

1. The petitioner has filed this petition under Section 439 of Cr.P.C. for grant of regular bail in case FIR No.237 dated 09.07.2019, registered under Sections 302, 34 IPC at Police Station Zirakpur, District SAS Nagar.
2. In compliance of the order dated 01.05.2023 passed by a Coordinate Bench, the report submitted by the learned Additional Sessions Judge, SAS Nagar Mohali, is taken record. As per the report, out of 28 prosecution witnesses, 13 have been examined and 04 have been given up.
3. Learned counsel for the petitioner submits that the FIR was registered against some unknown persons; that there is no direct evidence against the petitioner; that the statement of Raj Narain @ Gopi, recorded on 10.07.2019 i.e. after one day, under Section 161 Cr.P.C., on the basis of which the petitioner has been connected in the present case is not trust worthy; that the petitioner has been in custody since 11.07.2019 i.e. more than 04 years and 01 month; that the challan was presented on 06.09.2019 and

charges were framed on 17.09.2021 but some of the prosecution witnesses are yet to be examined and that there is no other registered or pending case against the petitioner.

4. After arguing at length, learned counsel for the petitioner restricts his prayer to the extent of issuance of direction to the learned trial Court to conclude the trial within a stipulated period.

5. Learned State counsel, while opposing the prayer for bail, submits that it is a double murder case and the petitioner has actively participated in the crime and the weapon used in the crime was recovered at his instance. Prosecution witness- Raj Narain @ Gopi, has supported the case of the prosecution. However, he submits that he has no objection, if the directions are issued to the learned trial Court to expedite the trial.

6. I have heard the learned counsel for the parties and have also gone through the documents on record.

7. The matter pertains to the year 2019 and the petitioner has been in custody since 11.07.2019 i.e. more than 04 years and 01 month and the charges were framed on 17.09.2021 but remaining 11 prosecution witnesses are yet to be examined.

8. In view of the above, the present petition is disposed of with a direction to the learned trial Court, to make an endeavour to conclude the trial at the earliest in accordance with law.

31.08.2023  
*Mangal Singh*

(HARNARESH SINGH GILL)  
JUDGE

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No