

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

108 CRM-20025-2023 in/and
CRM-M-11638-2023 (O&M)
Date of Decision: 08.05.2023

Ankit Petitioner
Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Salil Dev Singh Bali Advocate for the petitioner.
Mr. Harsimar Singh Sitta, DAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

CRM-20025-2023

This is an application for preponing the main petition, which is pending for 29.08.2023.

For the reasons mentioned in the application, the same is allowed and the main petition is taken up for hearing on board today itself.

CRM-M-11638-2023

FIR No.	Dated	Police Station	Sections
136	25.10.2021	Naya Gaon, District SAS Nagar, Punjab	452, 427, 323, 324, 148, 149 IPC (Challan presented on 450, 427, 302, 323, 324, 201, 148, 149 IPC)

1. The petitioner incarcerated in the FIR captioned above, has come up before this Court under Section 439 CrPC seeking bail.
2. Counsel for the petitioner submits that the eye witness has turned hostile and did not support the prosecution case. However, the trial is delaying because the complainant is intentionally not coming and delaying the case purposefully.
3. After arguing for some time, counsel for the petitioner further submits that at this stage, he would be contended and satisfied if a direction is given to the trial court to

is not completed by the given date, he is permitted to file a fresh bail petition on the grounds of delay in the trial, in addition to the merits of the case.

4. Given above, considering the petitioners’ custody, this court requests the concerned trial court to make all endeavours to conclude the trial by Sep 30, 2023, of which the prosecution evidence be completed by Aug 31, 2023, and the remaining time to provide an opportunity to the accused to lead defence evidence, if so desired. It is clarified that this order expediting the trial is subject to the condition that neither the petitioner shall seek any adjournment nor try to use any tactics to delay the trial. If they do so, this order of expediting the trial shall stand automatically recalled by resorting to Section 362, read with Section 482 Code of Criminal Procedure, 1973, without any further reference to this court. However, if the trial is not completed by the date mentioned above, and the delay is not attributable to the petitioner, in that situation, it shall be permissible for the petitioner to file a bail petition by taking an additional ground of delay in the trial, and such petition may be filed before the trial court or this court.

5. The petition is disposed of with the aforesaid liberty and observations. All pending applications, if any, stand closed.

(ANOOP CHITKARA)

JUDGE

08.05.2023

Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No