

2023:PHHC:097073

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

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CRM-M-15452-2021

Date of decision : 25.07.2023

Jagtar Singh Hawara**..... Petitioner****versus****Union Territory of Chandigarh****..... Respondent****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Bhanu Pratap Singh, Advocate
for the petitioner.

Mr. Charanjit Singh Bakhshi, APP U.T. Chandigarh.

PANKAJ JAIN, J. (Oral)

Present petition has been filed under Section 439 Cr.P.C. for grant of regular bail to the petitioner in case bearing FIR No.187 dated 16.07.2005, registered for offences punishable under Sections 121, 121-A, 123, 153 and 120-B of IPC (Sections 25, 54 & 59 of Arms Act and Sections 4, 5 and 6 of Explosive Substances Act, 1908 added later on), registered at Police Station 36, District Chandigarh.

2. Counsel for the petitioner submits that in the present case, the petitioner has already undergone custody of more than 05 years, 02 months and 23 days. The trial has not even commenced, thus the petitioner deserves to be admitted to bail keeping in view the incarceration already suffered by him.

3. Per contra, Mr. Bakhshi appearing for the U.T, Chandigarh submits that apart from the credentials of the petitioner which non-suit him for grant of any concession of bail, the fact remains that as per the

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orders passed by Apex Court, the petitioner has to serve sentence for natural life. In view thereof, the petitioner cannot be released and thus the present petition on the face of it is inconsequential.

4. It has been further submitted that owing to the security reasons, the petitioner who is presently lodged in Mandoli Jail cannot be produced before the Court which has resulted in the delay of trial. However on 21.07.2023, an application moved by the prosecution for conducting trial through video conferencing has been allowed.

5. Faced with the situation, learned counsel for the petitioner wishes not to press the present petition and prays for expeditious trial.

6. After hearing counsel for the parties, this Court is of the considered opinion that the present petition be disposed off with the direction to the trial Court to expedite the trial and conclude the same preferably within a period of 06 months from the date of receipt of certified copy of the order.

7. Ordered accordingly.

(PANKAJ JAIN)
JUDGE

25.07.2023
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No