

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

221

CRM-M-16510-2023

Date of Decision: July 13, 2023

Gurmesh Kaur @ Tajinder Kaur

.....Petitioner(s)

Vs.

State of Haryana

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Parminder Walia, Advocate for the petitioner(s).

Mr. Rajat Gautam, Addl. A.G. Haryana.

ANOOP CHITKARA J. (ORAL)

The present second bail petition has been filed by the petitioner seeking regular bail in case FIR No.237 dated 20.04.2020, under Sections 148, 149, 188, 302, 323, 506 IPC, registered at Police Station Mahesh Nagar, Ambala, District Ambala.

2. After arguing for some considerable time on merits of the case as well as strict opposition from the State, counsel for the petitioner submits that despite the issuance of directions issued by this court vide order dated 29.09.2022 passed in CRM-M-40200-2020 to conclude the trial on top priority, the trial is still hanging fire and at this stage, he would be contented and satisfied if a direction is given to the trial court to expedite the trial in a time-bound manner and further in case the trial 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

3. I have gone through the order of rejection of bail and in the entirety of facts and circumstances of the case, the ends of justice would meet in case, the concerned trial court to make all endeavours to conclude the trial by 16.09.2023 of

which the prosecution evidence be completed by 16.08.2023 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.

4. The petition is disposed of to the extent as mentioned above. All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

July 13, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No