

CRM-M-24360-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-24360-2023
Date of Decision: July 06, 2023

Nathuni Miya

.....Petitioner(s)

Vs.

State of U.T. Chandigarh

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr.Kanwardeep Singh Sodhi, Advocate for the petitioner(s).

Mr. Rajeev Anand, APP, UT, Chandigarh

ANOOP CHITKARA J. (ORAL)

The present petition has been filed seeking regular bail to the petitioner in case FIR No.21 dated 28.02.1999 under Section 307, 392, 34 IPC and 25/27/54/59 of Arms Act, registered at Police Station Sector 36, Chandigarh.

2. Status report dated 04.07.2023 filed in the Court, is taken on record. Counsel for UT Chandigarh strenuously opposed the bail petition on the grounds that the trial is at fag end; that only one witness remains to be examined; that the FIR is of the year 1999; that the co-accused stands convicted and even the appeal against his conviction was dismissed by this Court.

3. In the entirety of facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner and the same stands dismissed. All pending applications, if any, stand disposed off.

4. However, this court requests the concerned trial court to make all endeavours to conclude the trial by August 31, 2023, of which the prosecution evidence be completed by July 31, 2023, and the remaining time to provide an opportunity to the accused to lead defence evidence, if so desired. It is clarified

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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 trial Court shall grant him bail on the delay in trial and such petition may be filed before the trial court or this court.

(ANOOP CHITKARA)
JUDGE

July 06, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No