

CRM-M-34746-2023

2023:PHHC: 095047

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34746-2023

Date of decision: 26.07.2023

Balbir Singh @ Kali

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Amardeep Singh, Advocate
for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
31	14.03.2020	Beas, District Amritsar	420 & 120-B IPC (Section 419 & 201 IPC added later on)

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 State vehemently opposed the present petition on the grounds that initially, there were eight cases pending against the petitioner however he was acquitted in three, but still five FIRs are pending against him and all the offences are committed under Section 420 IPC.
3. At this stage, petitioner's counsel submits that the petitioner is in custody since 26.08.2022 and he would be contended 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.
4. Given above, considering the petitioner’s custody, this court requests the concerned trial court to make all endeavours to conclude the trial by 29.02.2024. 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. **It is further clarified that if the jail authorities fails to produce the petitioner before the trial Court, that delay shall not be considered on part of the petitioner.** 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

26.07.2023
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Whether speaking/reasoned:	Yes
Whether reportable:	No.