

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

411 CRM-M-49559-2022
Date of Decision: 29.04.2023

Harjinder Bhutta Petitioner

Versus

State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Deepak Verma, Advocate for the petitioner.

Mr. S.C. Godara, Addl. AG, Punjab.

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
47	11.05.2020	Rahon, District SBS Nagar	304A/279 IPC which were altered vide GDD No.34 dated 17.05.2020 (P-2) wherein Section 302/34 IPC were substituted and vide GDD No.42 dated 22.05.2020 (P-3) petitioner and other accused were nominated and again vide GDD No.7 dated 23.05.2020 (P-4) Section 397 IPC was added which was altered again with Section 396 IPC vide GDD No.50 dated 05.08.2020 (P-5)

1. The petitioner incarcerated in the FIR captioned above, has come up before this Court under Section 439 CrPC seeking bail.
2. State counsel has opposed the present petition.
3. Due to heavy pendency, this court proposed giving a date as per the available slot applicable to this matter. On this, the petitioner's counsel submits that at this stage, they 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, they are 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 CrPC, 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 miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

29.04.2023
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No