

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

231 CRM-M-49446-2023
Date of Decision: 20.11.2023

Hari Singh Petitioner

Versus

State of Haryana Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. R.P.S. Jammu, Advocate for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
209	22.06.2021	City Mandi Dabwali, District Sirsa	22-C of NDPS Act

1. The petitioner incarcerated in the FIR captioned above, has come up before this Court under Section 439 CrPC seeking bail.
2. State has opposed the present petition on the ground that all the prosecution witnesses have been examined and now the matter is fixed for recording statements under Section 313 CrPC for defence evidence, if any. He further submits that now the ball is in the court of petitioner and it is for them to lead the defence evidence as early as possible. However, he has undertaken that the State shall not seek any adjournment.
3. Given the State’s assurance, petitioner’s counsel submits that he would be contended and satisfied if the trial is expedited and is concluded within three months.
4. Prayer is genuine and allowed.
5. Keeping in view the pre-trial custody, this court requests the concerned trial court to make all endeavours to conclude the trial by 29.02.2024, of which the prosecution evidence be completed by 31.01.2024, 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.

6. The petition is disposed of with the aforesaid liberty and observations. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

20.11.2023
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No