

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

204

CRM-M-51473-2022

Date of Decision: August 24, 2023

Hema Rani

.....Petitioner(s)

Vs.

State of Punjab

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

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

Mr. Karunesh Kaushal, AAG, Punjab.

ANOOP CHITKARA J. (ORAL)

The present second petition has been filed seeking grant of regular bail to the petitioner in case FIR No.44 dated 28.04.2016 registered at Police Station Dehlon, District Ludhiana, under Sections 302/34 IPC and Section 201 IPC added later on.

2. Counsel for the petitioner submits that the petitioner is behind the bars since 17.01.2018 and trial is hanging fire. After arguing for some time, counsel for the petitioner submits that he would be contended and satisfied in case directions are issued to trial Court to conclude the trial within time bound manner.

3. Given above, the present petition is disposed of. All pending applications, if any, stand closed. However, considering the petitioner's right to speedy trial coupled with the pre-trial incarceration, this court requests the concerned trial court to make all endeavours to conclude the trial by Nov 30, 2023, of which the prosecution evidence be completed by Oct 31, 2023, and the remaining time to provide an opportunity to the accused to lead defence evidence, if so desired, and to conclude its hearing. To meet the deadline, an endeavour be

made to speed up the process for service and to pass the necessary directions in this regard. It is clarified that if expediting this trial disturbs the docket of the concerned court, then a balance be struck, and if, on this account, any delay happens, then an extension can be sought by mentioning such reasons. It is clarified that this order speeding up 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. If any of the accused is on bail and fail(s) to attend the trial without any sufficient cause, then they be dealt with strictly but in accordance with law.

4. It is also clarified that in case the trial is not concluded within the stipulated time period and the delay is not attributable to the petitioner-accused, in that eventuality, the petitioner shall be at liberty to file bail application before the trial Court by taking an additional ground of delay in the trial and the petition so filed be decided within two weeks from the date of its filing.

5. It is further clarified that previous rejection by this Court or by the trial Court shall not come in the way while considering the fresh bail application.

(ANOOP CHITKARA)
JUDGE

August 24, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No