

CRM-M-53741-2022

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53741-2022
Reserved on: 19.04.2023
Pronounced on: 17.05.2023

Surjeet Singh ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Kuldeep Singh Siwach, Advocate
For the petitioner.

Mr. Manish Bansal, DAG, Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
362	30.09.2020	Sadar Fatehabad, District Fatehabad	307 IPC and 25 of Arms Act

1. The petitioner incarcerated in the FIR captioned above, on the allegations of firing a bullet on the shoulder of the victim, has come up before this Court under Section 439 CrPC seeking bail.
2. In paragraph 35 of the bail petition, the accused declares that he has no criminal antecedents.
3. Petitioner’s contention is that the pre-trial incarceration would cause an irreversible injustice to the petitioner and family.
4. State opposes the bail.

REASONING:

5. The prosecution's case is that sister of the petitioner had jumped in canal and the victim was a suspect in abetting her suicide. To take revenge, the petitioner fired upon the victim, and the bullet hit the victim's shoulder. After arrest, the petitioner made a disclosure statement and got recovered the pistol and live cartridges.
6. A perusal of the bail petition and the documents attached, prima facie points towards the petitioner’s involvement and does not make out a case for bail. Any further

CRM-M-53741-2022

discussions are likely to prejudice the petitioner; this court refrains from doing so.

7. Any observation made hereinabove is neither an expression of opinion on the merits of the case nor shall the trial Court advert to these comments.

The petition is dismissed. However, 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 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. ***Since the petitioner is in custody since Oct 6, 2020, it is further clarified that if the trial court fails to conclude the trial by Sep 30, 2023, then it shall be permissible to the petitioner to file an application for bail before trial court and the trial court shall release him on bail.*** All pending applications, if any, stand closed.

(ANOOP CHITKARA)
JUDGE

17.05.2023
anju rani

Whether speaking/reasoned: Yes
Whether reportable: No.