

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(206)

CRM-M-56711-2022

Date of Decision : February 09, 2023

Abhmanu

.. Petitioner

Versus

State of Haryana

.. Respondent

(206-A)

CRM-M-58438-2022

Amit Kumar @ Mittu

.. Petitioner

Versus

State of Haryana

.. Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Aman Pal, Advocate, for the petitioner
in CRM-M-56711-2022.

Ms. Shazia K. Singh, Advocate, for the petitioner
in CRM-M-58438-2022.

Ms. Vibha Tewari, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

By this common order, two petitions filed by the petitioner(s) in
the same FIR, are being decided as both the petitions involve the same
question of law on similar facts.

Status report by way of an affidavit dated 08.02.2023 on behalf of respondent-State has been filed in the Court today and the same is taken on record.

Though both the petitions have been filed for the grant of regular bail but at the time of hearing, the said prayer has not been pressed on merits and the only prayer raised is that the petitioner(s) are behind the bars for the last approximately four years, hence, the trial Court be directed to conclude the trial in a time bound manner so that the petitioner(s) do not suffer further incarceration, which is causing prejudice to them.

Notice of motion.

Ms. Vibha Tewari, Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondent-State.

Learned State counsel, on the instructions from ASI Devender, submits that there are total 16 prosecution witnesses, who are to be examined and out of 16 witnesses, three witnesses have already been examined and 13 are yet to be examined but she has no objection in case the trial Court is directed to expedite the trial and conclude the same in a time bound manner.

Keeping in view the fact that the petitioner(s) are behind the bars for the last approximately four years, the prayer of the petitioner(s) for concluding the trial in a time bound manner, is accepted.

The trial Court is directed to conclude the trial within a period of six months from the next date of hearing before the trial Court even if, the said purpose is to be achieved by giving short adjournments.

It is made clear that in case, the witnesses do not appear despite summon, the coercive action as envisaged under law, be applied to secure their presence. With regard to the official witnesses, in case they do not appear on the date when they are summoned without there being any valid justification, due information be given to the Head of their respective Department for taking appropriate action about their absence and to ensure their presence for recording their testimonies on the date fixed by the Court.

The present petitions are disposed of in above terms.

A photocopy of this order be placed on the file of other connected case.

February 09, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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