

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56150-2023 (O&M)
Date of order: 06.12.2023

Neeraj
... Petitioner(s)
Versus
State of Haryana
...Respondent (s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
Present:- Mr. Rahul Deswal, Advocate
for the petitioner(s).
Mr. Rajat Gautam, Addl.A.G., Haryana.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
329	11.09.2020	Civil Lines, District Karnal	279 and 337 IPC (deleted later on) and Sections 302, 307, 120-B and 34 IPC (added later on).

1. The petitioner incarcerated in the FIR captioned above for 3 years and 2 months for commission of offence under Section 302 IPC, had come up before this Court under Section 439 CrPC seeking regular bail.
2. In paragraph 20 of the bail petition, the accused declares that he has no criminal antecedents.
3. Petitioner's counsel argues that initially, a case of road side accident was made, however, later on, it was shown as a murder case and further, the petitioner was shown to be sitting in car and despite the complainant knew him, but did not name him, which shows his false implication.
4. State's counsel has filed reply in Court, which is taken on record. Referring to paragraph 5 of the reply, State's counsel has opposed the bail and submitted that trial is moving at a fast speed and case is being heard almost on day to day basis. It would be relevant to extract paragraph 5 of the reply which reads as under:-

“5. That it is submitted that the trial of the present case has been conducted by the Ld. Trial Court on and priority basis the dates of evidence of the prosecution have been fixed for PUBLICLY two days consecutively on 22.08.2023 i.e. and The Ld. Trial Court vide order dated 28.08.2023 has adjourned the case to 06.09.2023, 08.09.2023, 13.09.2023, 20.09.2023, 22.09.2023, 26.09.2023, 28.09.2023, 30.09.2023, 10.10.2023, 11.10.2023, 13.10.2023, 16.10.2023, 18.10.2023, 20.10.2023, 26.10.2023, 27.10.2023, 30.10.2023, 06.11.2023, 09.11.2023, 10.11.2023, 20.11.2023, 21.11.2023, 22.11.2023, 23.11.2023 for evidence of the prosecution. Now the case is adjourned to 04.12.2023 and fresh billable warrants with one surety has been issued for the presence of HC Ramesh and PW Director Piyush Garg has also been summoned, witness mentioned at Sl. no.16, 19 and 20 in the list of witness has been summoned for 06.12.2023 and witness at sl. no.25 and 30 in the list of witness has been summoned for 08.12.2023 for evidence of prosecution (Annexure P-7). Therefore the trial of the present case is likely to be concluded in the shortest time.”

5. *Prima facie* there is sufficient evidence involving the petitioner and it is not a case for bail. Any further discussion is likely to prejudice the case of the petitioner and this court refrains from doing so. Trial is moving at satisfactory speed.

6. 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.

Petition dismissed. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

December 06, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	Yes