

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

211

CRM-M-736-2020

Date of Decision: 12.01.2023

Jagdev Singh

...Petitioner

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Preetinder Singh Ahluwalia, Advocate for the petitioner
Mr. Amish Sharma, AAG, Punjab
Mr. Vipin Mahajan, Advocate for respondent No.2

JAGMOHAN BANSAL, J. (Oral)

The petitioner through instant petition under Section 439(2) Cr.P.C., is seeking cancellation of bail granted to respondent No.2, vide order dated 25.11.2019 (Annexure P/7) passed by Additional Sessions Judge, Gurdaspur in FIR No.198 dated 20.12.2015 (Annexure P/1) registered under Sections 306, 201, 202, 203, 204, 256, 471, 468, 120-B, 217 & 218 of IPC, 1860.

Learned counsel for the petitioner does not dispute the fact that bail was granted on 25.11.2019 and as on date period of more than three years has passed.

In the light of changed facts and circumstances, learned counsel for the petitioner prays that Trial Court may be directed to expedite the trial because it is a case of misuse as well abuse of power on the part of Investigating Officer.

Short reply by way of affidavit dated 12.01.2023 of Gurinderbir Singh, Deputy Superintendent of Police is taken on record. The Registry is directed to tag the same at an appropriate place.

As per status report, the accused-Chander Kumar, Inspector has passed away on 19.08.2018. Supplementary challan against respondent No.2-SI Parkash Singh, apart from others was presented before the Trial Court on 07.09.2018. The charges were framed on 07.12.2018. There are total 26 prosecution witnesses and 16 witnesses have already been examined. The next date before the Trial Court is 12.01.2023.

This Court has no sympathy with respondent No.2 who *prima facie* seems to have misused his position, however, keeping in view the fact that bail was granted more than three years back, it would not be appropriate to cancel the bail.

In view of the fact that trial is pending since 2015 and there are serious allegations against police officials, the Trial Court is requested to expedite the trial and preferably conclude within six months from today.

Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

12.01.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>