

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

115

CRM-M-7682-2024

Date of Decision : July 15, 2024

MOHD. MEHFOOZ ALAM

-PETITIONER

V/S

STATE OF PUNJAB

-RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Anterpreet Singh, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, the petitioner seeks the concession of him being enlarged on regular bail, in case FIR No.122 dated 20.06.2020, under Sections 302, 201, 34 of the IPC, registered at P.S. Jodhewal, Ludhiana.

2. The learned counsel for the petitioner, in his beseeching the relief (supra), has mainly emphasized on the period of incarceration suffered by the petitioner, i.e. approx. 04 years. He has also argued that the case at hand relates to circumstantial evidence and the prosecution is not seized of any cogent inculpatory material, which could connect the petitioner with the alleged crime.

3. This Court has examined the allegations levelled in the present FIR, besides examining the reply filed by the respondent-State. The *prima facie* inference, as becomes generated from a studied survey of the record is that, the petitioner is the main accused, who is facing trial for committing murder of his wife. In order to efface evidence against him, the petitioner

had, after committing murder of his wife, hurriedly buried her dead body, which was subsequently got recovered on his identification.

4. Therefore, taking into account the gravity of the allegations, this Court is not inclined to grant the relief of regular bail to the petitioner.

5. This Court also posed a specific query to the learned State counsel regarding the stage of trial, whereupon the latter responded that, out of total 21 prosecution witnesses, 13 witnesses have already been examined and 02 witnesses have been given up. He further submits that, they would have no objection in case the trial is directed to be concluded in a time bound manner, inasmuch as, they are ready and willing to examine all the remaining prosecution witnesses within three months.

6. In view of the above, the instant petition is **dismissed at this stage**, however, the learned trial Court concerned is directed to conclude the trial within three months after receipt of a certified copy of this order. Moreover, the S.S.P. concerned is also directed to ensure the presence of all remaining prosecution witnesses, on each and every date, as fixed by the learned trial Court concerned, for their examination.

7. It is made clear that the accused shall not adopt any dilatory tactics, thus causing any hindrance in conclusion of the trial, within the stipulated period.

8. A copy of this order be forthwith sent to the learned trial Court concerned, and, to the S.S.P. concerned for information and compliance.

July 15, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No