



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

CRM-M-18646-2024

Date of Decision : **12.11.2024**

AJAY ALIAS GOLDY

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CRM-M-36908-2024

ROHIT

.....Petitioner

VERSUS

STATE OF HARYANA

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Varun Katyal, Advocate,
for the petitioner in CRM-M-18646-2024

Mr. Manoj Tanwar, Advocate,
for the petitioner in CRM-M-36908-2024

Mr. Bhupender Singh, DAG, Haryana.

Mr. Abhimanyu Singh, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petitions, filed under Section 439 Cr.P.C., seeking the relief of 'regular bail' by the petitioners in case FIR No.386, dated 08.10.2021, under Sections 148, 149, 302, 307, 323, 452 and 120-B of the IPC, and under Section 25(1B)(a), 27(1) and 29(B) of the Arms Act, registered at Police Station Pataudi, District Gurugram.

2. Learned counsel for the petitioners, in asking for the relief submits that the petitioners are in custody since 17.10.2021.

3. On the other hand, learned State counsel, on instructions imparted to him by the police official concerned, informs this Court that in the final report, the prosecution has cited total 33 witnesses, out of which 25 witnesses have already been examined, and now only 08 witnesses are remaining to be examined, and the next date fixed before the learned trial court concerned, is 04.12.2024.

4. He further submits, on instructions, that within next three months, the prosecution will conclude the examination of rest of the prosecution witnesses.

5. Considering the aforesaid statement suffered by the learned State counsel as well as the days of incarceration as suffered by the present petitioners, this Court deems it appropriate to pass a *mandamus* upon the learned trial court concerned, to make its all efforts to examine, the remaining 08 prosecution witnesses, within a period of 03 months from today.

5. The Senior Superintendent of Police concerned, is also directed to ensure the presence of all the remaining the prosecution witnesses as and when called upon by the learned trial Court concerned, for recording of their statements.

6. The Registry is directed to send a copy of this order to the learned trial court concerned as well as the Senior Superintendent of Police concerned, for making its compliance.

7. All pending application(s), if any, also stand **disposed** of accordingly.
8. A photocopy of this order be placed on the file of the connected case.

November 12, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No