



CRM-M-18548-2024

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(219)

CRM-M-18548-2024
Date of Decision : 12.09.2024

Vikrant ...Petitioner

Versus

State of Haryana ...Respondent

CORAM: HON’BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Deepak Choudhary, Advocate
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

KULDEEP TIWARI, J.(ORAL)

1. Through the instant petition filed under Section 439 of Cr.P.C., the petitioner prays for grant of regular bail in case FIR No.85 dated 22.03.2021 under Sections 302, 395, 397, 364 and 34 of the IPC, 1860 and under Section 25 of the Arms Act, 1959 registered at Police Station Farrukh Nagar, Gurugram.
2. This Court, vide order dated 16.07.2024, has specifically observed that the petitioner is not entitled to grant of regular bail, in view of the role assigned to him as well as his criminal antecedents. However, specific report was called from the learned trial Court concerned, disclosing therein, the cause behind delay in examination of witnesses/conclusion of trial, besides, also stating the expected time for conclusion of trial.
3. In compliance to the directions, as issued by this Court, a report has been received from the learned trial Court concerned, through proper



4. The perusal of the said report, reflects that the delay has been caused on an account of non-production of the accused by the Jail Authorities concerned, on numerous occasions, filing two supplementary challan on dated 26.10.2021 and 16.03.2022, respectively, qua the two accused persons namely, Ravi and Nitish Kataria, who were arrested later on, and moreover, because of non-appearance of the prosecution witnesses, as and when called upon by the learned trial Court concerned.

5. Considering the above reports, this Court deems it fit to pass a specific mandamus upon the Authorities concerned, which are extracted hereinbelow :-

- i) to make sure that the accused persons be produced on each and every date, either through virtual platform or physically;*
- ii) the Deputy Superintendent of Police, concerned shall ensure the presence of all the prosecution witnesses, as and when called upon by the learned trial Court concerned;*
- iii) the learned trial Court shall make all efforts to conclude the trial expeditiously.*

6. So far as the issue regarding grant of regular bail to the petitioner is concerned, this Court is not inclined to grant the relief of regular bail, at this stage. Accordingly, the instant petition is **dismissed** with the aforesaid directions to the Authorities/trial Court, concerned.

7. Copy of this order be sent to the Jail Authorities concerned, for its compliance.

(KULDEEP TIWARI)
JUDGE

September 12, 2024
Manpreet