

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

**Neutral Citation No. 2024:PHHC:058372
CRM-M-47608-2023
Date of Decision: April 29, 2024**

Vijay Kumar @ Gyani @ Gavi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Ruhani Chadha, Advocate for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J.(Oral)

By way of present petition under Section 439 Cr.P.C., petitioner prays for his release on regular bail in a case arising out of FIR No.31 dated 17.04.2021, under Sections 392, 395 and 384 of IPC, besides Sections 21, 22 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, and Section 25 of the Arms Act, 1959 (Sections 511, 465, 467, 468, 471 and 120-B IPC added later on), registered at Police Station Sadar Kurali, SAS Nagar.

2. After arguing at length, when this Court was not inclined to grant bail to the petitioner, statement is made by learned counsel for the petitioner so as to withdraw this petition.

3. However, learned counsel for the petitioner makes prayer to direct the Trial Court to expedite the trial and to conclude the same in time bound manner, as petitioner is in custody for the last more than 02 years and 07 months.

4. In response to the aforesaid prayer, learned State counsel informs that there as many as 19 accused in this case and it is because of the non-availability of one or the other accused that the trial is not proceeding. It

is further informed by learned State counsel that out of 42 witnesses cited by the prosecution, not even a single witness has been examined so far.

5. Having regard to the aforesaid facts and circumstances, present petition is hereby dismissed as withdrawn. However, the Trial Court is directed to make all possible efforts to conclude the trial expeditiously by giving short dates. It is directed that the presence of the accused, who are in custody be procured through video conferencing as per relevant instructions of this Court and the presence of the witnesses be procured through coercive means, if they fail to appear despite service. Efforts shall also be made by the Trial Court to conclude the trial within 01 year from the date of receipt of the copy of this order.

April 29, 2024

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No