

**141****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-61157-2025
DECIDED ON: 16.03.2026****HITESHWAR SINGH ALIAS GHORAPETITIONER****VERSUS****STATE OF PUNJABRESPONDENT****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH.**

Present: Mr. H.S. Deol, Advocate,
for the petitioner.

Mr. Iqbalpreet Singh, AAG, Punjab.

Mr. Abhinav Gupta, Advocate,
for the complainant.

SANJAY VASHISTH, J (ORAL)

1. Present 2nd petition has been filed by the petitioner, seeking grant of regular bail, in case, FIR No.5, dated 05.01.2021, under Sections 302, 307, 324, 34 of IPC, registered at Police Station Anaj Mandi, District Patiala.
2. First bail petition filed by the petitioner was disposed of as withdrawn, at that stage, vide order dated 23.10.2024, passed in CRM-M-41686-2024 (Annexure P-9).
3. Since the trial has not been completed within the stipulated time period, present second petition seeking grant of regular bail has been filed by the petitioner.

4. On 04.02.2026, this Court was informed that all the injured witnesses, except complainant-Amit Kumar Sadana, have failed to identify the accused persons, including the present petitioner, in the witness box. It was further submitted that out of 28 prosecution witnesses, 20 witnesses have already been examined.

5. Upon a query raised by this Court regarding the time likely to be required by the trial Court for the conclusion of the trial, the trial Court, vide letter dated 18.02.2026, informed that approximately six months' additional time would be required to conclude the proceedings.

Operative part of the explanation reads as under:-

“It is respectfully submitted that the charges in the instant case i.e. case titled as 'State of Punjab V/s Hiteshwar Singh @ Ghora & another' FIR No.05 dated 05.01.2021 under sections 302, 307, 324, 34 IPC were framed on 30.09.2021. A list of 27 witnesses has been annexed with the report under section 173 Cr.P.C. The testimony of 18 witnesses has been recorded, 4 witnesses have been given up by the prosecution as being unnecessary, whereas the examination in chief of two witnesses i.e. PW19 Inspector Harjinder Singh; i.e. the investigating officer and PW20 ASI Gurbinder Singh has been recorded in part and their examination remains to be concluded. The testimony of 3 other witnesses is also to be recorded. Hence, the testimony of 5 witnesses remains to be recorded which would require a minimum of six months as there are 379 trials pending before the court of the undersigned which include murder trials and cases under the Unlawful Activities (Prevention) Act and other heinous crimes and majority of them fall under the Action Plan and some are time bound by the Hon'ble High Court. The undersigned however assures the Hon'ble Court that the evidence would be concluded during the time frame the Hon'ble High Court directs.”

6. Today, learned State counsel has filed the custody certificate dated 14.03.2026 in Court, which is taken on record. Registry is directed to tag the same at the appropriate place in the file.
7. As per the custody certificate, apart from the present case, petitioner is involved in two other criminal cases.
8. Considering the totality of the circumstances and being apprised that Investigating Officer is not appearing before the Court concerned, this Court deems it appropriate to dispose of the present petition, with a direction to the trial Court to conclude the trial within a period of three months from today, without granting any further extension.
- However, in case, trial is not concluded within the aforesaid period, trial Court shall forthwith submit an explanation to this Court, particularly if the official witnesses, including the Investigating Officer, are not cooperating in the proceedings.
9. Senior Superintendent of Police (SSP) of the concerned district shall either ensure the presence of such official witnesses before the trial Court, or appear before the trial Court to explain the circumstances causing delay.
10. Let a copy of this order be forwarded to the office of the SSP concerned, Director General of Police, Punjab, and the trial Court, for necessary information and compliance.
11. With the directions issued here above, present petition stands disposed of.

16.03.2026
Lavisha

(SANJAY VASHISTH)
JUDGE

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