
(2023) 06 SHI CK 0086

In the High Court Of Himachal Pradesh

Case No : Criminal Miscellaneous Petition (Main) No. 1458 Of 2023

Kanwar Pal @ Kardu

APPELLANT

Vs

State Of Himachal Pradesh

RESPONDENT

Date of Decision : 28-06-2023

Acts Referred:

Citation : (2023) 06 SHI CK 0086

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Kanta Thakur, Rajan Kahol, Vishal Panwar, B.C. Verma, Rahul Thakur, Ravi Chauhan

Judgement

Sandeep Sharma, J

1. Pursuant to order dated 15.06.2023, respondent-State has filed status report and ASI Rattan Lal has come present along with records.
2. Careful perusal of the status report reveals that eleven prosecution witnesses out of twenty-three witnesses have been examined and for recording the statements of remaining witnesses, the Court below has fixed the matter on 18.07.2023, 19.07.2023 and 20.07.2023.
3. In view of the above, this Court sees no reason to consider the prayer made on behalf of the petitioner to grant bail.
4. Faced with afore situation, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file afresh at the appropriate stage. Ordered accordingly.
5. Having taken note of the fact that petitioner is behind the bars for more than two years and only twelve prosecution witnesses are yet to be examined, this Court hopes and trusts that the Court below would make all out efforts to conclude the proceedings expeditiously, preferably on or before 31.08.2023 , failing which this Court shall be constrained to consider prayer, if any, made by

the petitioner for grant of bail. Learned Additional Advocate General undertakes to render proper assistance on behalf of the prosecution, enabling the Court below to conclude the trial in terms of instant order passed by this Court. Needless to say that, this Court on judicial as well as administrative sides, has been repeatedly advising the Courts below to conclude the trial of under trails on top most priority so that their freedom is not curtailed for an indefinite period. Registry is directed to apprise the Court below with regard to passing of the instant order.