

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

**C.R.M-M No.30441 of 2015
Date of Decision : 08.09.2015**

Harbans Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. J.S. Mehndiratta, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

The prayer in this petition is for staying the further proceedings in Sessions trial because as per the petitioner he has moved a private complaint in which he has accused some other persons for the offence for which the Sessions trial is going on.

The apprehension being voiced by the learned counsel is that the Sessions trial may conclude before the Magistrate (in whose Court the private complaint is pending) takes a decision on the issue of summoning the accused. Learned counsel has further stated that the entire preliminary evidence has been led before the Magistrate and now the matter has been fixed for 22.09.2015.

In my opinion, there is no ground for the apprehension that the

Sessions trial will conclude before the Magistrate takes a decision on a cognizance since in view of the complainant having concluded his entire preliminary evidence and since the learned counsel states that the petitioner is ready to address arguments on the next date, in all likelihood, the decision will be taken by the Magistrate on or before 31.10.2015.

Petition stands disposed of in the above terms.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

September 08, 2015

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**(AJAY TEWARI)
JUDGE**