

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.: 124

Criminal Miscellaneous No.M-1125 of 2016
Date of Decision: January 14, 2016

Shabeg Singh @ Subeg Singh Master

..... PETITIONER

VERSUS

Santokh Singh

..... RESPONDENT

CORAM HON'BLE MR. JUSTICE JASPAL SINGH

PRESENT: Mr. Narinder S. Dadwal, Advocate, for the petitioner.

. . .

1. Whether Reports of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

. . .

Jaspal Singh, J

1. This is a petition preferred under Section 482 Cr.P.C. for quashing complaint No.5 dated January 14, 2002 titled 'Santokh Singh v. Balraj Singh & others' (Annexure P-2) under Sections 419, 420, 467, 468, 471, 120-B IPC as well as subsequent proceedings arising therefrom.

2. Concededly, petitioner was proclaimed offender when his co-accused were acquitted vide judgment dated March 10, 2012 (Annexure P-3). Subsequent thereto, petitioner approached this Court

and he was granted the concession of bail whereupon he furnished the requisite bail/surety bonds before the learned trial court.

3. A perusal of the interim orders reflected in the petition reveals that on some of the dates, case was adjourned simply on the ground that challan has not been presented but infact, it was a complaint case and the challan was not required to be presented and only the concerned file was to be requisitioned, and proceedings were required to be initiated.

4. Subsequently, on coming to know that it being a complaint case, notice was issued to the complainant, time and again but either the same has been received back unserved or on some of the dates, process so issued was not received back.

5. No doubt, the petitioner is appearing on the dates so fixed by the trial court for the last more than 3 years but it appears that the court(s) dealing with the matter have not given a serious thought to deal with and dispose of the complaint. If the notices being issued have not received back or same have been received back unserved, further process should have been initiated to get the service effected.

6. The instant petition is disposed of with a direction to learned trial court to take up the matter seriously and proceed to secure the presence of complainant, and if the same is not secured, to take action and to dispose of the complaint, in accordance with law.

7. Since the petitioner is facing the agony of trial for the last more than 3 years, trial court is directed to dispose of the complaint

within a period of six months from the date of receipt of a certified copy of this order.

8. Disposed of accordingly.

January 14, 2015
avin

(Jaspal Singh)
Judge