

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

**CRM-M No. 16043 of 2015 (O&M)
Date of Decision: 27.04.2016**

Parshotam Kumar alias Lalli

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr.Navkiran Singh, Advocate
for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab
for the respondents/State assisted by HC Sohan Lal.

Mr. R.S. Rai, Sr. Advocate assisted by
Mr. Gautam Dutt, Advocate
for the complainant-Karanveer Singh.

JASWANT SINGH, J. (ORAL)

Prayer in the present petition under Section 482 of Cr.P.C. is for setting aside the order dated 27.04.2015 (**Annexure P-14**) whereby the application for release of the passport of the petitioner/accused has been dismissed; further challenge is to the order of even date (**Annexure P-15**) whereby the permission sought by the petitioner/accused for travelling to Italy for renewal of his driving licence, passport has also been declined.

Upon notice, learned State Counsel has filed the reply stating therein that the passport of the petitioner/accused, valid upto 16.01.2021, stands submitted alongwith the challan before the Court. The prayer has been rightly declined by the Court below in the light of the finding that there is a chance of the petitioner/accused fleeing from the process of the Court in the light of material placed on record i.e. plane ticket bookings etc.

At the time of hearing, learned State Counsel, assisted by HC Sohan Lal, states that out of twelve nominated accused persons, ten accused including the present petitioner are facing the trial, whereas two accused, namely, Daljit Singh and Jasbir Singh, have been declared as proclaimed offenders. In the pending trial, one witness out of seventeen prosecution witnesses stands examined and three of them have been summoned for 28.04.2016. He further submits that out of seventeen prosecution witnesses, only three witnesses are private witnesses and rest of all are officials.

Keeping the fact that the family of the petitioner/accused is residing in Italy and he is stuck in India since November/December, 2013, the prayer of the petitioner to visit Italy appears to be reasonably justified, however, on the other hand, the anxiety of the prosecution that he (petitioner) would not return or would delay the trial also cannot be brushed aside.

Therefore, in view of the above, learned counsel for the parties are agreed that the best course is to expedite the conclusion of the trial which otherwise might get delayed on account of joining of the proclaimed offenders in the pending trial.

In view of the aforesaid circumstances and taking holistic view, it is deemed appropriate to dispose of the present petition with a direction to learned trial Court to conclude the pending trial against the accused within next four months from the next date of hearing.

Ordered accordingly.

Commissioner of Police, Jalandhar, is directed to ensure that the evidence of all the official prosecution witnesses is concluded without any delay and positively within three months from today.

Since the main case has been decided, therefore, pending criminal miscellaneous application(s), if any, stands disposed of.

April 27, 2016

'dk kamra'

**(JASWANT SINGH)
JUDGE**