

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 32751 of 2016

Date of decision: 26.9.2016

Tirath Ram

Petitioner

vs.

State of Punjab and anr

Respondent

Present: Mr. Gourave Bhayya, Advocate.

M.M.S.BEDI,J.

The petitioner has challenged complaint case of the year 2011, in which summoning order was passed on 13.3.2013 and the order passed by the Additional Sessions Judge, Hoshiarpur on 9.8.2016 dismissing an application for quashing of the charges u/s 420 IPC.

Counsel for the petitioner has inter alia argued that the grievance of the complainant has been that a sum of Rs. 2.40 lacs has been given to main accused Varinder Tripathi. A sum of Rs. 1.40 lacs has already been received by the complainant on the basis of an agreement. It has been argued that subsequently vide Annexure P-5 another compromise had been arrived at between the petitioner and the complainant on receipt of sum of Rs.25000/-. The matter having been amicably resolved, the quashing of the proceedings has been prayed for.

I have considered the facts and circumstances of the case. So far as the summoning order dated 13.3.2013 is concerned, the same has been challenged after a gap of three years. The complainant has already been examined. The petition deserves to be dismissed on the ground of delay and laches, without prejudice to the right of the petitioner to raise all

the pleas, taken up in this petition at an opportune time.

Dismissed. It will be appreciated in case the trial court decides the case expeditiously, preferably within a period of six months by giving a fair opportunity to the petitioner to cross-examine the witnesses and to produce his defence evidence, in accordance with law.

September 26 ,2016
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No