

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

Cr. Misc. M 33708 of 2016
Date of decision: 22.9.2016

Gurdial Singh

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. KG Chaudhary, Advocate.

M.M.S.BEDI,J.

Quashing of FIR, which was registered in the year 2012 and charges framed on 17.4.2014, have been prayed for inter alia on the ground that the trial has not been concluded till date.

After hearing counsel for the petitioner, I am of the opinion that in view of trial being pending, it will not be feasible for this court to quash the FIR and proceedings emanating therefrom. Merely because the complainant is evading appearance before the trial court, will not warrant quashing of the FIR and the criminal proceedings. But in exercise of powers u/s 483 Cr.P.C., this petition is disposed of with a direction to the trial court to make an earnest endeavour to conclude the trial expeditiously by giving short dates of hearing. It will be appreciated in case the trial is conducted as per the provisions of Section 309 Cr.P.C. and the same is concluded within three months after the next date of hearing, fixed before the trial court.

The above said order has been passed taking into consideration the fact that the petitioner is a senior citizen, aged about 70 years.

Counsel for the petitioner submits that the personal appearance of the petitioner may be exempted. It will be open to the petitioner to move an application for exemption from personal appearance before the trial court. It is expected that the same shall be considered taking in to consideration the age and health of the petitioner.

September 22 ,2016
TSM

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned

Yes/ No

Whether Reportable

Yes/ No