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

**CRM-M-5681-2016
Date of decision:17.02.2016.**

Subhash Chander

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr.Arun Takhi, Advocate
for the petitioner.

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

JASPAL SINGH, J.

This petition has been filed under Section 482 of the Criminal Procedure Code for issuance of a direction to the trial court to conclude the trial of case FIR No.87 dated 01.12.2011 under Section 186, 353, 506 IPC & Section 30 of Arms Act registered at Police Station Haryana District Hoshiarpur titled as State of Punjab versus Subhash Chander pending in the court of learned JMIC District Hoshiarpur.

Notice of motion.

At the asking of Court Mr. R.P.S. Sidhu, AAG, Punjab accepts notice on behalf of respondent-State of Punjab. Copy of petition be supplied to learned State counsel during the course of day.

After investigation, a report under Section 173(2) Cr. P.C. was

presented in the court of Jurisdictional Magistrate against the petitioner way back on January 10, 2012 and since then the trial is lingering on. Copy of some of interim orders passed by the learned Magistrate reveals that the case is being adjourned time and again for the examination of prosecution witnesses and especially an order dated 25.08.2015 transpires that three PWs were present but they were not examined simply on the ground that the court time is over and they were bound down for 12.10.2015. Learned counsel for the petitioner submits that even thereafter till date those witnesses who are bound down for 12.10.2015 have not been examined. There is another order relied upon by the petitioner dated 06.01.2016 passed by learned Magistrate, according to which “*orders from Hon'ble High Court not received, now to come up on 18.02.2016 for awaiting orders from Hon'ble High Court*”, but to the utter surprise no such order has been passed by this Court even as pointed out by the learned counsel for the petitioner.

Learned Magistrate is directed to check and see on what basis the adjournment has been granted on 06.01.2016. Adverting to the case in hand that after framing of charge on 10.01.2012, there is no progress towards the disposal of the case.

Accordingly, instant petition is disposed of with a direction to the Learned Magistrate to dispose of the matter within a period of six months from the date of receipt of certified copy of this order.

(JASPAL SINGH)
JUDGE

17.02.2016

Sunil Devi