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

CRM-M-13500 of 2017

Date of decision: April 24, 2017

Joga Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. Deepak Bhardwaj, Advocate for the petitioners.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the petitioners.

This Court had made an order on 03.03.2017 (in CRM-M-6987 of 2017) directing the trial Court to complete the trial by granting extension till 31.03.2017. It appears that thereafter, respondent No.2-complainant-Fakir Singh appeared before the trial Court and examination-in-chief was recorded and cross-examination was deferred. The complainant filed application under Section 319 of Code of Criminal Procedure, 1973 on 22.03.2017 and was allowed on the same day for the reasons stated in the said order summoning accused-Neelam.

It is because of the said reason, the trial Court has sought extension of three months to dispose of the case.

Learned counsel for the petitioners-Joga Singh and others submits that the husband-Varinder has been declared P.O. and Neelam who has now been summoned as additional accused also may not

appear in the trial Court. He, therefore, submits that the passport of petitioner No.1-Joga Singh be returned.

Since the trial has commenced, it is not possible to return the passport as prayed for and at any rate, the trial Court has sought extension of three months. However, as contended by the learned counsel for the petitioner, there is likelihood of Varinder and Neelam not appearing in the Court as Varinder-husband has already been declared P.O. In that event, there is likelihood of trial Court again asking extension of time. In my opinion, the trial of the petitioners cannot be further delayed for the aforesaid reason and therefore, the trial Court shall take steps to separate the trial of Varinder and Neelam and proceed with the trial against the accused persons.

With the above observations, present petition, i.e. CRM-M-13500 of 2017 is disposed of. Extension of time by way of last chance is granted for three months. Order be communicated by fax.

(A.B. CHAUDHARI)
JUDGE

April 24, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No