

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-25291 of 2017

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Date of decision:28.9.2017

Harpal Singh

...Petitioner

v.

State of Punjab and another

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Rajeev Sharma, Advocate for Mr. Kamaldeep Singh Sodhi,
Advocate for the petitioner.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of the order dated 18.1.2017 (Annexure-P2) passed by learned Judicial Magistrate Ist Class, Ludhiana, vide which the evidence of the complainant has been closed by order in the complaint No.3/1 dated 25.1.2007 titled as “Harpal Singh Vs. Taranjit Singh” (Annexure-P.1). Thereafter, a revision petition was filed against the order dated 18.1.2017 which has also been dismissed by the learned Additional Sessions Judge, Ludhiana vide order dated 21.4.2017 (Annexure-P.3).

I have heard learned counsel for the petitioner and have gone through the record.

Learned counsel for the petitioner admitted that the complaint was pending since 2007. The counsel has nowhere argued nor he has placed any document on record to show that reasonable and sufficient

opportunities have not been granted to the complainant. The impugned order dated 18.1.2017 passed learned Judicial Magistrate Ist Class, Ludhiana shows that the complainant availed number of opportunities to conclude his evidence, but in spite of that the complainant failed to conclude his evidence. Last opportunity was also granted to the complainant to conclude his evidence, but in spite of that the complainant has failed to do the same. Therefore, in the facts and circumstances, the Court closed the evidence of the complainant.

A perusal of the record further shows that for 10 years the complaint remained pending as the complaint was instituted in the year 2007 and it is a case for the offences under Sections 203, 211 and 120-B IPC. The Court is not only to see the prosecution but also to see the harassment of the accused. The accused are suffering from long and protracted trial and the complainant was not producing the evidence.

From the record, I find that the findings recorded by the learned trial Court as well as by the learned Additional Sessions Judge are correct. No illegality has been committed by the Courts below.

Therefore, finding no merit in this petition, the same is dismissed.

September 28,2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No