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

CRM-M-46678 of 2017

Date of decision: December 07, 2017

Radhey Shyam

.....Petitioner

Versus

State of Haryana and others

.....Respondents

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

Present: Mr. Puneet Kakkar, Advocate, Advocate
for the petitioner.

A.B. CHAUDHARI, J (Oral)

Rule is heard forthwith.

Ms. Tanisha Peshawaria, DAG, Haryana, waive service on
behalf of the respondent-State.

The only grievance that has made before this Court is that
the trial Court has not framed charges and the reason is that the
defence counsel has been taking adjournments and adjournments for
hearing on the question of charge.

I have seen the record with the assistance of learned
counsel for the petitioner, I have found the following dates on which
the proceedings have adjourned for hearing on the charge:-

12.09.2016 – seek time for arguments on charges;

23.11.2016 – Judge on leave;

03.02.2017 – seek time by defence counsel;

17.02.2017 – seek time by defence counsel;

12.05.2017 – main file sent to Appellate Court;

07.07.2017 – main file not received;
28.08.2017 – Accused NBW;
01.09.2017 – Accused NBW;
04.10.2017 – None present for defense;
30.10.2017 – seek time by defence counsel.

I do not think that the hearing on the charge could be deferred for several dates. This Court directs the trial Court in exercise of power under Section 483 Cr.P.C. to frame charges of course after hearing of both sides within a period of one month from the date of receipt of this order and thereafter proceed further according to law.

Disposed of.

(A.B. CHAUDHARI)
JUDGE

December 07, 2017
anju rani

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No