

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

Sr. No.120

CRM-M-7256-2018

Date of decision : 20.02.2018

Surender Singh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Ajit Singh Lamba, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner prays for quashing of order dated 14.11.2017 (Annexure P-6) passed by the learned Additional Sessions Judge, Hisar, whereby the prosecution has been granted further opportunity for proving the FSL report.

Notice of motion. Mr. Munish Sharma, AAG, Haryana, accepts notice on behalf of the State of Haryana. Let two copies of the petition be supplied to him during the course of the day.

In view of the nature of the order being passed, there is no necessity to seek any response from the State.

The precise grievance of the petitioner is that order dated 14.11.2017 (Annexure P-6) was obtained by making a false averment that the report of the FSL has been received with great difficulty and that it is essential to prove the same. However, after the matter was taken up by the trial Court, six opportunities have been availed by the prosecution and according to zimni order dated 12.12.2017, a copy of which has been annexed as part of Annexure P-7, FSL report has still not been prepared and the trial is being prolonged unnecessarily. The trial is pending since the year

2015 and the charge had been framed on 19.01.2016. The petitioner is in custody since September, 2015.

Keeping in view the above submission, this petition is disposed of with direction to trial Court to conclude the matter at an early date, but not later than six months from the date of receipt of a certified copy of this order.

(SUDHIR MITTAL)
JUDGE

February 20, 2018
Ramandeep Singh

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