

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRR No. 2310 of 2018 (O&M)

Date of decision : 19.7.2018

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DivyaPetitioner

vs.

State of Haryana and another
.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

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H. S. Madaan, J. (Oral)

This revision petition is directed against order dated 24.5.2018, passed by Additional Sessions Judge, Gurugram, vide which application under Section 311 Cr.PC. filed by the prosecution for summoning of two additional witnesses i.e. Gian Chand, Principal/Headmaster of Good Luck High School, Haily Mandi, alongwith admission record of complainant in class Ist and MHC of Police Station Pataudi, alongwith FIR No. 332 dated 16.8.2015 under Sections 354B/506 IPC, was dismissed.

I have gone through the impugned order. Therein the trial Court has observed that documents of the prosecution with regard to date of birth of the prosecutrix including 8th class examination

(Secondary Examination certificate Exhibit P-6), and further documents in that regard are already thereon record and the proposed witnesses sought to be examined are not essential for just decision of the case. It is mentioned that the trial is at the fag end and is being stretched unnecessarily. I do not find any illegality or infirmity in the impugned order, which might have called for interference by this Court by exercising the revisional jurisdiction.

The revision petition being without any merit stands dismissed.

However, it has been noticed that the trial Court in the order has observed that the prosecution evidence has already been closed vide order dated 11.12.2017 and statements of accused have also been recorded and the case is since then lingering on for defence evidence. It points out towards loose control of the Presiding Officer over the proceedings. He is directed, instead of expressing helplessness in such a manner, to conclude the trial expeditiously, preferably within a period of one month from today, under intimation to this Court.

A copy of the order be sent to the quarter concerned, for information and compliance.

19.7.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No