

Sr. No.117+251

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

**CRM-1462-2019 &
CRM-31119-2018 in/and
CRM-M-24986-2016(O&M)
Date of decision:18.01.2019**

Harmail Singh and another

.....Petitioners

versus

State of Punjab and another

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Navkiran Singh, Advocate
for the petitioners.

Mr. Rajat Bansal, AAG, Punjab.

Mr. Jashandeep Singh Sandhu, Advocate
for respondent No.2.

Rajbir Sehrawat, J(Oral)

This is a petition seeking quashing of FIR No.4 dated 20.04.2015 registered under Sections 409,420,465,461kred,468,120-B IPC at Police Station NRI, Bathinda and all the subsequent proceedings arising therefrom.

A perusal of the file shows that the case is pending since the year 2016 and there has been no stay on the proceedings of the trial. As a result, most of the effective witnesses have already been examined. Learned State counsel has pointed out that out of total 16 witnesses 07 witnesses have been examined. Only the official witnesses have been left out. Learned counsel for State has further submitted that the prosecution would make its sincere effort to complete the evidence of the prosecution; at the earliest possible.

In view of the above said fact that the trial of the case is at the

fag end, this Court does not find it appropriate to pass any further order in the case. Instead, it would be appropriate if the prosecution is directed to complete their entire evidence within a time bound frame.

Accordingly, the present petition is disposed of with a direction that the prosecution shall complete their entire evidence within a period of 02 months from the date next fixed before the Trial Court. It is further clarified that the Trial Court shall grant only 03 opportunities to the prosecution to complete their evidence. All these 03 dates shall be restricted within a period of 02 months specified above. Still further it is directed that if any one of the witnesses is not produced by the prosecution even during this duration of 02 months then Trial Court shall issue non-bailable warrants against the said witnesses and ensure that the said witnesses are taken in custody forthwith. After taking in custody; such witnesses shall be kept in protective custody at District Jail, Bathinda till the examination and cross-examination of the such witness/es is/are completed.

Disposed of.

18th January, 2019

Shivani Kaushik

[RAJBIR SEHRAWAT]

JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*