

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

CRM-M-25286-2019
Decided on : 30.05.2019

Dr. Sumeet Sofat

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Sumeet Sofat, Petitioner in person.

Manjari Nehru Kaul, J.

The instant petition has been filed under Section 482 Cr.PC read with Section 483 for quashing the impugned order dated 27.01.2016 (Annexure P-1) passed by learned SDJM, Jagraon vide which the proceedings qua the petitioner have been separated from the proceedings in respect of other accused in terms of Section 317(2) Cr.PC.

A perusal of the case file reveals that the petitioner was summoned under Section 319 Cr.PC vide order dated 29.09.2015 in response to which he appeared before the learned trial Court on 26.10.2015. It is further evident that the proceedings in the case were being delayed on account of absence of the petitioner or on repeated requests being made by him.

Obviously, the trial qua the other accused was being thus, delayed because of above absence and repeated requests being made by the petitioner before the trial Court. In the circumstances, the trial Court was left with no other option but to segregate the trial of the petitioner as warranted by Section 317(2) Cr.PC.

It further transpires that the other accused were acquitted by the learned trial Court vide order dated 30.03.2016 (Annexure P-2). It is not hard to read between the lines and conclude that the petitioner was only buying time hoping that the acquittal of the other accused would come to his aid. The above conduct of the petitioner to say the least, is reprehensible.

In the considered view of this Court, even if the other accused have been acquitted, the petitioner must still face the trial. It may also be noticed that the impugned order dated 27.01.2016 (Annexure P-1) has been challenged in the year 2019 and to my mind, the challenge is hopelessly belated.

From the above facts, the inescapable conclusion is that the petitioner is playing with the judicial system and this Court frowns upon the dilatory tactics adopted by the petitioner.

In view of the above, no ground for interference is warranted in the impugned order dated 27.01.2016.

Accordingly, the present petition stands dismissed.

(MANJARI NEHRU KAUL)
JUDGE

30.05.2019

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No