

CRM-M-3007 of 2020

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

CRM-M-3007 of 2020
Date of Decision: 23.01.2020

Ranjit Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Anil Kumar Garg, Advocate, for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C. prayer has been made for quashing/setting aside order dated 14.01.2020 (Annexure P-3) of the trial Court, whereby prosecution evidence is closed by order in case titled as “State v. Jagdeep Singh and others” arising from FIR No.84 dated 07.06.2013 registered under Sections 452, 341, 323, 427, 148, 149 IPC at Police Station Payal.

Learned counsel for the petitioner *inter alia* contends that it was a state case. It was not in the hands of the petitioner to summon Government Medical Officer, Dr. Sandeep Sohi, who did not come present, despite his summoning through bailable warrants. He might be in league with the accused party. In the interest of justice, petitioner may be given one opportunity to examine all the prosecution witnesses. In case, Dr. Sandeep Sohi is not examined, entire prosecution case would fail inasmuch as injuries suffered by the petitioner-complainant would not be

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proved.

Having given thoughtful consideration to the above submissions, this Court finds the instant petition completely devoid of any merit for the reasons to follow.

Impugned order of the trial Court for ready reference is reproduced hereunder: -

“No prosecution witness is present. Summon issued to prosecution witnesses received back unserved. Learned APP for the State requested for adjournment which is opposed by learned counsel for the accused. Perusal of the file reveals that prosecution had already availed 35 opportunities for leading its evidence but failed to complete the same, so no ground is made out to further adjourn the same for prosecution evidence. As such, the evidence of prosecution evidence is closed by order. Statement of accused persons under Section 313 of Code of Criminal Procedure recorded. Accused opted to lead evidence in their defence. Now case is adjourned to 21.01.2020 for defence evidence.”

FIR in the instant case was registered in the month of June, 2013. it is evident that accused have already faced protracted trial for more than 6½ years, which in the considered opinion of this Court much more than convicting a person. Petitioner remained silent spectator during entire period of 6½ years and permitted prosecution or accused to get repeated adjournments on one pretext or the other. Had he been vigilant and interested in completion of trial and conviction of private respondents, who allegedly caused him injuries, he must have assisted learned Public

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Prosecutor diligently.

35 opportunities have already been availed by the prosecution in the span of 6½ years for completion of its evidence, but failed to do so. Thus, private respondents cannot be made to suffer any more.

Dismissed.

January 23, 2020
R.S.

(Ramendra Jain)
Judge

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