

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-19241-2018

Date of decision: 04.03.2020

Sanjay and others

..... Petitioners

Versus

State of Haryana and others

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Ms. Dolly Sharma, Advocate for
Ms. Sunita Punia, Advocate for the petitioners.

Mr. Amrik Narwal, DAG, Haryana.

Mr. Naveen Dariyal, Advocate for respondents No. 4 to 8.

RAMENDRA JAIN, J. (ORAL)

Through this petition under Section 482 Cr.P.C., prayer has been made for setting aside order dated 02.04.2018 (Annexure P-10) of Judicial Magistrate Ist Class, Bahadurgarh, whereby application under Section 156(3) Cr.P.C., moved by petitioners has been treated as a private complaint.

Proxy counsel for petitioners prays for adjournment on the ground that arguing counsel is not feeling well. However, no medical certificate has been produced in support of her above assertion.

Perusal of file shows that after filing of this petition in the year 2018, i.e. almost two years back, it has been taken on board for six

times. On the first date of hearing i.e. on 07.05.2018, notice of motion was issued to the respondent. Thereafter, out of remaining five dates, on two occasions none appeared for the petitioner and on three dates including today, adjournment was sought. The grouse raised in the instant petition by the petitioners is that trial Court instead of sending their private complaint under Section 156(3) Cr.P.C., to the police for registration of case, kept the same itself for trial, treating it as private complaint and directed the petitioners to brought their preliminary evidence, vide impugned order dated 02.04.2018 (Annexure P-10). Till date, the petitioners did not conclude their preliminary evidence before the trial Court, despite no stay to the proceedings before the trial Court.

Keeping in view the above factual position, this Court is not inclined to continue with the instant petition any further.

Dismissed for want of prosecution.

Registry is directed to send a copy of this order to the trial Court, through FAX, as well.

March 04, 2020
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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No