

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8019 of 2021 (O&M)

Date of decision : 19.2.2021

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Maj. R.S. Gujral (Retired)

.....Petitioner

vs.

State of U.T. and others

.....Respondents

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

Present: Mr. Vikram Bali, Advocate
for the petitioner.

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H. S. Madaan, J. (Oral)

Case taken up through video conferencing.

By way of filing the present petition, petitioner – Major R.S. Gujral (Retired), prays for issuance of a direction to the State of U.T., Chandigarh and Central Bureau of Investigation, Chandigarh to register an FIR against the private respondents and prosecute them for having committed cognizable offences, in the alternative craving for issuance of a direction to the Court of Judicial Magistrate Ist Class, Chandigarh, where an application under Section 156(3) Cr.P.C., is pending, to dispose it of expeditiously.

Notice of motion to the official respondents No. 1 and 2.

At this stage, Mr. C.S. Bakshi, APP,U.T., Chandigarh, has accepted notice on behalf of respondents No. 1 and 2.

With the petitioner having already availing the remedy under

Section 156 (3) Cr.P.C., the present petition, containing the similar prayer, cannot possibly proceed. However, the application filed by the petitioner before the Judicial Magistrate Ist Class, Chandigarh, stated to be pending for the last more than three years, needs to be disposed of expeditiously. It is stated that the next date of hearing fixed for Judicial Magistrate Ist Class, Chandigarh, is 16.3.2021.

Under the circumstances, the learned Judicial Magistrate Ist Class, Chandigarh, is directed to dispose of the application expeditiously, making earnest efforts to hear the arguments on the next date of hearing and to dispose of the application. If for some reason, learned Magistrate is unable to hear the arguments on the adjourned date, a short adjournment for arguments be given. Nevertheless, the application be finally disposed of within a period of three months, from the date of receipt of a copy of this order, in that Court. Of course, the complainant would not seek any unnecessary adjournment from the trial Magistrate.

19.2.2021
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No