

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

115

CRM-M-13089-2021

Date of Decision: 02.08.2021

Baljinder Singh

...Petitioner

Versus

Chamkaur Singh & others

...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ranjan Lakhanpal, Advocate, for the petitioner.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking issuance of a direction to the trial Court concerned for disposal of Criminal Complaint No.21/2017 dated 18.03.2017 under Section 307/323/324/341/506/148/149 IPC titled 'Baljinder Singh Vs. Chamkaur Singh & others'.
2. It is the specific case of the petitioner that the trial Court had adjourned the matter 22 times and although the preliminary evidence had already been concluded by the complainant still no order has been passed thereafter.
3. On 23.03.2021, this Court passed the following order:

“Learned counsel for the petitioner contends that after his first complaint was dismissed by learned SDJM on 03.12.2016 (Annexure P-3), he instituted a second complaint i.e. COMI-21/2017 (Annexure P-4) on 18.03.2017 and although the matter has been adjourned 22

times and preliminary evidence has also concluded, but no order is being passed upon the said complaint.

Before proceeding to consider issuance of any direction, this Court deems appropriate to call for a status report from the trial Court concerned.

The Presiding Officer of the trial Court, as such, is directed to furnish a detailed status report containing details of proceedings conducted on each of the date. Registry is directed to do the needful for securing the aforesaid report.

List again on 19.07.2021.”

4. Report of the Presiding Officer of the trial Court has been received as per which despite several adjournments taken by the complainant, the evidence has not been closed by the complainant and that the matter was last fixed for 05.07.2021 for awaiting appearance of the complainant and for remaining preliminary evidence.
5. A perusal of the aforestated report shows that incorrect facts have been stated by the petitioner in the instant petition. The petition, as such, is dismissed. The petitioner is warned to be more careful in future and not to state incorrect facts before this Court.
6. Needless to mention, once the complainant closes his evidence, necessary proceedings shall be conducted expeditiously.

02.08.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**