

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

CRM-M-33617-2021.  
Date of Decision:-19.08.2021.

Manoj

.....Petitioner

Versus

State of Haryana and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

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Present: Mr. Bhavdeep Singh Mamli, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

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**VIKAS BAHL, J. (Oral)**

This is a petition under Section 482 Cr.P.C. for directing the learned Trial Court to decide the complaint under Section 156 (3) Cr.P.C. bearing number COMI-264 of 2020 dated 21.08.2020 (Annexure P-1).

Learned counsel for the petitioner has submitted that in the present case, notice was issued in the application under 156 (3) Cr.P.C on 21.08.2020 and, thereafter, when the matter was taken up on 07.01.2021, partial arguments were advanced but since the presence of Head Constable Rakesh was considered expedient, thus, his appearance was sought on 15.01.2021. Even the Head Constable Rakesh had appeared and offered clarifications and further partial arguments were advanced. However, the case under Section 156 (3) has not been

finally disposed of. Learned counsel for the petitioner has also stated that he undertakes to argue the complete matter on the next date of hearing and provide full assistance to the Court on the next date or any date given by the learned Judicial Magistrate Ist Class, Gurugram.

Learned State counsel has submitted that a perusal of the zimini orders would also show that dates were taken even by the counsel for the petitioner. Without expressing any opinion as to the cause of delay, in view of the fact that the complaint is dated 21.08.2020 and also the fact that at least on two occasions, the case has been argued, this Court deems it appropriate to request the learned Judicial Magistrate Ist Class, Gurugram to decide the same as expeditiously as possible, after granting one more opportunity to the counsel for the petitioner to make his submissions either on the next date or any date convenient to the Court.

Notice of motion has not been issued to the private parties as no prejudice is caused to them by passing of this order and moreover, it has been submitted by learned counsel for the petitioner that no notice has been issued to respondent Nos.2 and 3 by the learned Trial Court.

The petition is, accordingly, disposed of in the above terms.

**(VIKAS BAHL)**  
**JUDGE**

**August 19, 2021.**

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Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.