

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

(Heard through VC)

CRM-M-41098 of 2021 (O&M)
Date of Decision: October 01, 2021

Amandeep Kaur

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Ms. Riffi Birla, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed with the simple prayer to expedite the framing of charges.

Learned counsel appearing on behalf of the petitioner would contend that the petitioner herein has been falsely implicated in the present case. It is submitted that challan has been presented on 26.03.2021, however, despite five opportunities having been taken, charges have not been framed as on date. It is submitted that the next date of hearing before the trial court is 08.10.2021 and prays for issuance of a direction to the trial court in this regard.

Notice of motion.

At this stage, Mr. A.S. Gill, Sr. DAG Punjab, who is appearing

through the medium of video conferencing, accepts notice on behalf of the respondent-State.

I have heard learned counsel for the petitioner and have taken notice of the orders passed by the Sessions Judge, Fazilka. Admittedly, the accused were in jail when the matter was taken up on 07.04.2021 and their production warrants were issued for 28.04.2021, on which date they could not be produced as they had been transferred from District Jail, Muktsar to Central Jail, Ferozepur. Their fresh production warrants were issued for 17.05.2021, however, on the said date on account of the directions issued by this High Court regarding restricted functioning of courts on account of Covid-19 pandemic, the matter was not taken up for hearing and was adjourned to 12.07.2021, on which date again the matter was adjourned for 16.08.2021 on account of very said directions issued by this High Court. Again, on account of Covid-19 pandemic, the matter was adjourned to 11.09.2021, which happened to be a Saturday and the matter was adjourned taking into account order No.35/RG/SPL/Misc. dated 27.08.2020 as issued by this High Court instructing all judicial officers to work from home on working Saturdays till further orders. Consequently, the matter has now been adjourned to 08.10.2021.

A perusal of the aforesaid orders passed by the Sessions Judge, Fazilka does not reflect any delay on his part in framing of the charges. The trial court has been diligently adjourning the matter on account of instructions as issued by this High Court and, therefore, this court finds no fault in any orders so passed. However, as the matter is now listed for 08.10.2021, let an endeavour be made to have the charges framed on the

said date.

Learned State counsel fairly submits that necessary instructions would be passed to produce the said accused in court on the date so fixed.

With the aforesaid observations, the instant petition stands disposed of.

October 01, 2021
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No