

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

107

**CRM-M-1737-2020 (O&M)
Date of Decision: 14.01.2022**

Rajesh Kumar @ Pillu

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. B.S.Toor, Advocate for petitioner.

Mr. Anmol Singh Sandhu, Assistant Advocate General, Punjab.

Lalit Batra, J.(Oral)

Case has been taken up for hearing through Video Conferencing.

CRM-35536-2021

This application under Section 151 C.P.C. has been moved by petitioner seeking correction in the name of petitioner.

Learned counsel for the petitioner contends that due to typographical mistake, the name of petitioner was wrongly mentioned as 'Rakesh Kumar @ Pillu' instead of 'Rajesh Kumar @ Pillu' in the memo of parties.

Notice of application.

At the asking of Court, learned State counsel accepts notice of the application and stated that he has no objection if application is allowed.

In view of the grounds mentioned in the application and no objection by learned State counsel, the same is allowed.

Amended memo of parties is taken on record.

Main Case

Reply report dated 09.10.2021 by way of affidavit of Rajan Sharma, PPS, DSP (D), Jagraon, District Ludhiana (Rural) along with Annexure R/1 (FLS report) already filed on behalf of respondent-State, is taken on record.

After addressing arguments at length, learned counsel for the petitioner prays for withdrawal of instant petition and further submits that since petitioner is languishing in custody w.e.f. 16.11.2019 and especially the fact that after commencement of Trial, not even a single prosecution witnesses has been examined till date, Trial Court may be asked to expedite the trial and conclude the same at the earliest.

A bare perusal of record of the case reveals that petitioner is languishing in custody for the last more than two years and not even a single prosecution witnesses has been examined till date. Speedy trial is a fundamental right implicit in the guarantee of life and personal liberty enshrined in Article 21 of the Constitution of India.

In view of above, instant petition is dismissed as withdrawn. Trial Court is directed to make earnest and sincere efforts to expedite the trial and conclude the same expeditiously.

(LALIT BATRA)
JUDGE

14.01.2022

Varinder Prashad

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No