

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

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**CRM-M-2964-2022
Date of decision: 19.05.2022**

ARVIND AND OTHERS

.....Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Satyawan Singh Nain, Advocate
for the petitioners.

Mr. Viney Phogat, DAG, Haryana.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for directing the trial Court to expedite the criminal trial in FIR No. 382 dated 06.11.2016 under Section 420 of the Indian Penal Code, 1860 and Section 7 of the Essential Commodities Act, 1955 registered at Police Station Pundri, Kaithal, case bearing No. CHI-274 of 2017 titled as 'State versus Azad and Others'.

Pursuant to the order dated 04.02.2022, a short reply by way of affidavit of Ravinder Sangwan, Deputy Superintendent of Police, Kaithal has been filed. A copy thereof has been furnished to learned counsel appearing on behalf of the petitioners. It is not controverted by the learned State counsel that the FIR in the case was registered in the year 2016 and that the final report in this case was filed on 10.04.2017 and total of 17 persons were arrayed as

prosecution witnesses. It is also evident from perusal of the list of witnesses that 11 out of the said witnesses happened to be officials of the Government. So far only 03 prosecution witnesses have been examined. No plausible explanation has been furnished as to why the prosecution could not conclude the evidence despite lapse of more than 05 years since the case was fixed before the trial Court for recording prosecution witnesses.

Learned counsel appearing on behalf of respondent-State contends that the prosecution shall make an endeavour and shall expeditiously conclude the evidence within a period of 06 months from the date next fixed for recording of the prosecution witnesses.

In view of the aforesaid statement made by the learned State counsel, learned counsel appearing on behalf of the petitioners does not press the instant petition at this stage.

Dismissed as not pressed.

Needless to mention that the State shall remain bound by the statements so made by the learned State counsel and has to ensure that the evidence is concluded within the time frame as noticed above.

(VINOD S. BHARDWAJ)
JUDGE

MAY 19, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No