

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 11018 of 2022
Date of Decision: 23.3.2022**

Naresh Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. Criminal complaint bearing No. 258 of 2021, is averred in the petition, to be subjudice before the learned Judicial Magistrate Ist Class, Sunam. It appears from Annexure P-4 to Annexure P-6, that the learned trial Magistrate concerned, had upon the above private complaint, sought the assistance of the police agency. In that regard, the learned Magistrate concerned, had elicited a report from the SHO concerned. However, the SHO concerned, was not promptly making his report to the learned Magistrate concerned. Nonetheless, Annexure P-7 reveals that the SHO concerned, had proceeded to transmitted his report to the Court of the learned Magistrate concerned.

2. The learned counsel for the petitioner contends, that a direction be made upon the learned Magistrate concerned, to make an expeditious trial upon the above criminal complaint. The afore direction is made upon the learned Magistrate concerned, however, subject to the petitioner also

taking the prompt steps in respect of filing of the processes for ensuring the examinations of his witnesses, and, also subject to his ensuring that his witnesses appear before the learned trial Magistrate concerned, for their recording their testifications in respect of the incriminatory role, as has been assigned to the accused in the criminal complaint (supra).

3. If the afore steps are taken, and, the complainant witnesses appear before the learned Magistrate concerned, and, thereupon their preliminary evidence becomes recorded by the learned Magistrate concerned, thereafter, the latter may proceed to issue summons upon the accused concerned.

4. The petition is disposed of accordingly.

(SURESHWAR THAKUR)
JUDGE

March 23, 2022
Gurpreet

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