

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

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CRM-M-13115-2022 (O&M)

Date of decision: 26.05.2022

GURNEK SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

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

Present:- Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for seeking a direction to the learned trial Court to conclude the trial in a time bound manner in case FIR No. 39 dated 10.02.2016 under Sections 452/427/323/34 of the IPC, registered at Police Station Civil Lines, Amritsar (Annexure P-1) which is stated to be pending for the last 06 years approximately.

Learned counsel appearing on behalf of the petitioner contends that the petitioner is more than 61 years of age and is a retired Army personnel. He submits that Mandeep Singh who was son in law of the petitioner and registered a false and frivolous case against the petitioner and members of his family alleging that his marriage was solemnized with Gurpreet Kaur in the year 2008 and divorce was granted in the year 2014 owing to the misunderstanding. He contends that the case in question was filed by the son in law for getting the

custody of his daughter and as an abuse of process of law. He submits that the petitioner and his family members have been regularly appearing before the trial Court, however, the matter is still pending on account of evidence of the complainant who has gone abroad and has chosen not to appear. He has pointed out today that an application seeking a permission to examine the complainant through video conferencing has now been moved and that he would be satisfied in case a direction is issued to the trial Court to take an expeditious decision on the same and thereafter to conclude the prosecution evidence in a time bound manner.

The request in question appears to be genuine and feasible.

In view of the same, the instant petition is disposed of with a direction to the trial Court to decide the application for examination of the complainant through video conferencing within a period of 02 months from the date next fixed for the arguments on the said application and thereafter to record the prosecution evidence, if any within a period of **two months** thereafter.

The present petition is accordingly disposed off.

(VINOD S. BHARDWAJ)
JUDGE

MAY 26, 2022

Vishal sharma

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