

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

CRM-M-22256 of 2022

Date of Decision: 23.05.2022

Joginder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Kiratpal Dhaliwal, Advocate for the petitioner.

HARINDER SINGH SIDHU, J

The petitioner, who is one of the accused in case FIR No.83 dated 25.05.2020 under Sections 302,307,506,34,120-B IPC and Sections 25,29 and 54 of Arms Act registered at P.S Sadar Batala, District Gurdaspur, has preferred this petition, praying for issuance of directions to conclude the trial.

It is stated that after investigation, challan was filed against the petitioner and co-accused Gurdeep Singh on 30.09.2020. Supplementary challan against Kuljit Singh was presented on 22.02.2021. Kuljit Singh filed an application under Section 227 of Cr.PC for discharge, which is pending. Grievance of the petitioner is that despite the case having been listed on more than 30 occasions, the charges have not yet been framed.

Learned counsel for the petitioner submits that the petitioner is 76 years old and has been in jail since the date of his arrest i.e 25.05.2020. The petitioner is suffering from serious ailments and because of inordinate **delay** on the part of the prosecution to **frame charges** and to

conclude the trial, he has been unnecessarily harassed for no fault.

Learned State counsel by referring to the zimni orders has stated that adjournments have been sought frequently by learned counsel for the petitioner and co-accused on the pretext of advancing arguments on charge.

A bare perusal of the zimni orders reveals that the trial could not proceed either owing to the procedural delay or not producing the petitioner and his co-accused before the trial Court on numerous dates.

On consideration of the totality of the facts and circumstances of this case, this petition is disposed of with a request to the learned trial Court to make an endeavour to expedite the trial. Jail Authority concerned shall also produce the petitioner before the trial court on the dates so fixed.

May 23, 2022
manoj

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No