

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(116)

CRM-M-25279-2022

Date of decision: - 14.07.2022

Dalip @ Sundi

....Petitioner

Versus

U.T. Chandigarh

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rahil Mahajan, Advocate,
for the petitioner.

Mr. Amit Kumar Goyal, APP, for U.T., Chandigarh.

VIKAS BAHL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for issuance of an appropriate direction to expedite the trial in case titled "State Vs. Mangat Sharma and others", bearing SC No.23 of 2018 in case FIR No.298 dated 17.09.2017, registered under Sections 147, 148, 149, 324, 307 and 506 IPC and Sections 25, 54, 59 of the Arms Act, at Police Station Sector 31, Chandigarh.

Learned counsel for the petitioner has submitted that in the present case, the FIR was registered in the year 2017 and when the matter had come up before this Court in a petition for regular bail, a Co-ordinate Bench of this Court, vide order dated 10.03.2022, had directed the trial Court to make a sincere endeavour towards the expeditious conclusion of the trial. It is submitted that after passing of the said order, three dates

have been given by the trial Court and on the first date i.e., 31.03.2022, the witnesses were summoned for 27.04.2022 and on the said date, no PW was present and again on 30.05.2022, no PW was present. It is further submitted that the petitioner is in custody since 18.05.2019 and 10 prosecution witnesses are yet to be examined i.e., eight official witnesses and two doctors, and thus, a direction be issued to the respondent-UT to produce the said witnesses. It is also submitted that there is no stay operating with respect to the proceedings in any case filed in any Court.

Learned counsel appearing for the respondent-UT Chandigarh, on instructions from ASI Hira Singh, has opposed the present petition, but could not dispute the above-said facts, as have been stated by learned counsel for the petitioner.

Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to the respondent-UT Chandigarh to produce the remaining witnesses on 19.07.2022, which is the next date of hearing, or immediately thereafter, and to make every endeavour to assist the trial Court to get their statements recorded. The trial Court is also requested to record the statements of the said witnesses as expeditiously as possible.

Counsel for the petitioner is directed to fully assist the trial Court for expeditious disposal of the case.

July 14, 2022
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(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes
No