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

CRM-M-42803-2022

Date of decision : 19.09.2022

Veer Bhan

...Petitioner

Versus

Mukesh Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Rajesh Bansal, Advocate for the petitioner.

Mr. Dhruv Sihag, AAG, Haryana.

VIKAS BAHL, J. (ORAL)

This is a petition filed under Sections 482/483 of Cr.P.C. for issuance of appropriate directions to the Judicial Magistrate Ist Class, Karnal to decide the Criminal Complaint No.COMI-160142/2010 dated 20.04.2013 titled as Smt. Rehti Devi Vs. Mukesh Kumar and others, in a time bound manner.

A perusal of zimni orders would show that on 05.11.2012, 04.01.2013, 25.03.2013 and 18.05.2013, no pre-charge evidence of the petitioner/complainant was present and, thereafter, on 02.08.2013, the case was dismissed in default for want of prosecution as nobody had appeared on behalf of the complainant. The same was restored vide order dated 01.05.2019 passed by a Coordinate Bench of this Court. The case is still at

the stage of pre-charge evidence and for the delay, it is primarily the petitioner who is to blame.

Learned counsel for the petitioner, has however submitted that the petitioner has met with an accident and is not keeping good health and has also submitted that the complaint is of the year 2010 and thus, prayed that the trial Court be requested to expedite the trial.

Keeping in view the abovesaid facts and circumstances, this Court is of the opinion that the present case is not a case where the direction has to be issued to the Judicial Magistrate Ist Class, Karnal to decide the case in a time bound manner. However, keeping in view the fact that the complaint is of the year 2010, the Judicial Magistrate Ist Class, Karnal is requested to expedite the trial.

In view of what has been observed above, the present petition is disposed of.

All the pending miscellaneous applications, if any, stand disposed of in view of the abovesaid order.

19.09.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No