

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(114)

CRM-M-46398-2022

Date of decision: - 10.10.2022

Joginder Singh

....Petitioner

Versus

Pargat Singh and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Shekhar Kumar, Advocate, for the petitioner.

VIKAS BAHL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for seeking directions to decide the criminal Complaint No.09 of 2022 dated 24.04.2022 (Annexure P-1) filed under Sections 452, 326, 324 and 34 of the IPC, pending before the Court of Sub-Divisional Judicial Magistrate, Nihal Singh Wala, District Moga, in a time bound manner and an alternate prayer has been made to direct the trial Court to record the preliminary statement of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is 82 years old and has restricted his prayer, inasmuch as, his statement be recorded by the trial Court as expeditiously as possible.

This Court has perused the paper-book and a perusal of the same would show that an application for preponing the case, which had been filed by the petitioner, was rejected vide order dated 20.08.2022 (Annexure P-3) by observing that the relevant documents had not been annexed.

No fault thus, can be found in the order dated 20.08.2022 (P-3), however, keeping in view the fact that the petitioner is 82 years of age and wishes that his statement be recorded in preliminary evidence and the case before the trial Court is now fixed for 17.12.2022, the present petition is disposed of with the liberty to the petitioner to move a fresh application for preponing the case before the trial Court within a period of one week from today and on such an application being filed, the trial Court is requested to consider the same by taking into consideration the fact that the petitioner is 82 years old and is willing to make his statement on an earlier date than the date already fixed i.e., 17.12.2022.

Disposed of as such.

October 10, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No