

117

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54515-2021 (O&M)
Date of Decision: 05.01.2022

Pankaj Aggarwal

.. Petitioner

Vs.

State of Haryana

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ganesh Chand Sharma, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

Petitioner/complainant has filed this petition under Section 482 Cr.P.C. read with Section 483 Cr.P.C. to challenge the order dated 09.12.2021 (Annexure P-11) passed by JMIC, Faridabad.

The impugned order reads as under:

*“Arguments not advanced. Adjournment sought.
Adjourned to 9.2.2022 for arguments.”*

Learned counsel has argued that upon a written complaint given by petitioner, a case FIR No.0471 dated 10.06.2018, under Section 304-A IPC, at Police Station Sector-7, Faridabad was registered and after completion of investigation, cancellation report was filed on 30.10.2019, but on the same date, the statement of complainant was recorded, whereby he expressed his dissatisfaction against the said cancellation report and made a prayer for summoning the accused persons to face the trial for the alleged offences. According to the learned counsel, the case is being adjourned time and again and on 09.12.2021, no adjournment was prayed for on behalf of the petitioner, therefore, the order deserves to be set aside.

During the course of hearing, it has been apprised by learned counsel that on the said date, the matter was passed over by the trial Court and was to be taken up after the lunch break, but finally, it was adjourned to 09.02.2022.

After hearing the learned counsel and considering the above background, this Court finds that the impugned order dated 09.12.2021 (Annexure P-11) relates to the adjournment of the case and the merits are yet to be considered. The impugned order does not warrant any interference, however, the petition is disposed off with a direction to the JMIC, Faridabd to hear the case on the date fixed i.e. 09.02.2022, if convenient or the Court may fix any other date for hearing.

05.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No