

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

CRM-M-58522-2022

Date of Decision: 16.12.2022

Hasina

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Sandeep Gahlawat, Advocate, for the petitioner.

Rajesh Bhardwaj, J. (ORAL)

Prayer in the present petition is for issuance of direction to the learned trial Court to proceed further against the accused persons/respondents No.2 to 4 and to conclude the trial expeditiously in a case FIR No.230, dated 29.11.2017, registered under Sections 328, 363, 376-D IPC, at Police Station Lalru, District SAS Nagar (Mohali), trial of which is pending for 04.01.2023.

It has been contended by learned counsel for the petitioner that the petitioner before this Court is the complainant, however, after registration of the FIR, the accused-respondents are delaying the trial by adopting various tricks. He submits that application under Section 319 Cr.P.C. was filed for summoning additional accused on 11.09.2018, which was allowed on 20.02.2019 and thereafter, accused who were summoned were declared proclaimed offenders on 03.10.2019 and they intentionally evaded their arrest. He submits that the order was assailed by the accused before this Court by way of filing CRM-M-7448-2021, which was dismissed by this Court vide order dated 20.1.2022. He submits that again to delay the trial, they filed application under Section 227 Cr.P.C. on 15.02.2020 for their discharge. He has drawn the attention of this Court to the various zimini orders showing that the accused-respondents intentionally did not appear to argue the same and thus, the trial is being delayed intentionally.

Notice of motion.

Mr. Karunesh Kaushal, Assistant Advocate General, Punjab, accepts notice on behalf of the State.

After hearing learned counsel for the parties and perusing the record, it is apparent that the case in hand pertains to the prosecution for a heinous offence. The FIR was lodged on 29.11.2017 and in the past about five years, no substantial progress in the trial appears to have been made. Keeping in view the facts and circumstances of the case, the present petition is disposed of and the learned trial is directed to expedite the trial and conclude the same at the earliest.

16.12.2022			(RAJESH BHARDWAJ)
sharmila			JUDGE
	Whether Speaking/Reasoned	:	Yes/No
	Whether Reportable	:	Yes/No