

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No. 110)

CRM-M No. 14345 of 2023
Date of decision : 21.03.2023

Ranjit Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ravi Joshi, Advocate for the petitioner.
Mr. Arun Luthra, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 482 Cr.P.C. the petitioner seeks issuance of directions for expeditious disposal of the application filed by him seeking therein stay of his conviction vide order dated 04.06.2022 passed by the Chief Judicial Magistrate, Gurdaspur.

A perusal of the record reveals that through order dated 04.06.2022 the Chief Judicial Magistrate, Gurdaspur convicted the petitioner under Sections 325, 323 and 342 read with Section 34 IPC and sentenced him as under:-

<i>Sr. No.</i>	<i>Offence under Section</i>	<i>Sentence</i>
1.	325 IPC	To undergo rigorous imprisonment for 02 years and to pay a fine of Rs.1000/-. In default of payment of fine, to undergo rigorous imprisonment for 30 days.

2.	323 IPC	To undergo rigorous imprisonment for 06 months and to pay a fine of Rs.500/-. In default of payment of fine, to undergo rigorous imprisonment for 15 days.
3.	342 r/w Section 34 IPC	To undergo rigorous imprisonment for 06 months and to pay a fine of Rs.500/-. In default of payment of fine, to undergo rigorous imprisonment for 15 days.

Against the afore conviction and sentence the petitioner filed an appeal before the Additional Sessions Judge, Gurdaspur, in which, in August, 2022 he also moved an application seeking stay of his conviction. Such application of his remains pending for the last nearly 08 months primarily for the reason that the Judge before whom the petitioner’s appeal had been listed for hearing has been suspended.

Every litigant has a right to speedy justice. There is also no justifiable reason for the delay caused in the disposal of the petitioner’s application for stay of his conviction.

In the light of the above, the present petition is disposed of with a direction to the District and Sessions Judge, Gurdaspur to list the petitioner’s appeal before an appropriate court, which in turn is directed to at least finally adjudicate upon the petitioner’s application for stay of his conviction expeditiously, in accordance with law.

It is clarified that while passing the instant order no opinion has been expressed by this Court on merits of either the appeal filed by the petitioner or the application for stay of his conviction.

21.03.2023
sunil yadav

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No