THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRR-995-2023
Date of Decision: 05.07.2023

State of Haryana ....Petitioner

Versus

Ankit and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Ankita Ahuja, AAG, Haryana, for the petitioner.

Mr. Ramesh Hooda, Advocate, for respondent No.2.

None for respondent Nos. 1 and 3 to 5.

HARNARESH SINGH GILL, J.

Challenge in the present petition is to the order dated 02.09.2022 passed by the learned Additional Sessions Judge, Rohtak, whereby the prosecution evidence was closed by order.

At the outset, learned State counsel would argue that out of total 49 prosecution witnesses, 26 have already been examined and if an indulgence is granted by this Hon'ble Court, the prosecution would conclude its entire evidence within four months.

On the other hand, learned counsel representing respondent No.2, vehemently opposes the assertions made by the State counsel and submits that despite the specific directions issued by this Court to the trial Court, on the earlier occasions, to expedite the trial within a time bound manner, the prosecution has been lingering on the conclusion of its evidence and thus, delaying the conclusion of trial. It is further argued

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that the prosecution cannot be granted indulgence time and again, especially when the FIR pertains to the year 2016.

Heard the learned State counsel and the learned counsel for respondent No.2.

Though ample opportunities have already been granted to the prosecution to conclude its evidence, yet keeping in view the fact that substantial prosecution evidence has already been recorded and the fact that trial was shifted from one Court to another, this Court is of the considered view that the ends of justice would be fully met, if the prosecution is granted another opportunity to conclude its evidence.

In view of the above, the present petition is allowed. The impugned order dated 02.09.2022 is set aside. The prosecution is directed to produce its evidence, expeditiously and the trial Court is directed to conclude the trial within a period of three months, positively.

05.07.2023 **(HARNARESH SINGH GILL)**
ds **JUDGE**

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

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