

2023:PHHC:067556
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

112

CRM-M-22976-2023 (O&M)
Date of decision: 09.05.2023

Wadhwa Singh and Others

....Petitioners

Versus

State of Punjab and Another

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Ranjan Lakhanpal, Advocate with
Ms. Rajwinder Kaur, Advocate
for the petitioners

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR bearing No.92 dated 02.05.2014, registered under Sections 323, 506, 201, 148, 149, 341 IPC at Police Station Patran, District Patiala.

2. Learned counsel for the petitioner submits that the FIR was lodged on 02.05.2014. Thereafter, challan was presented on 08.04.2015 and the charges were framed on 08.05.2015. However, an application under Section 319 Cr.P.C. for summoning additional accused was filed in the year 2015, to which the learned counsel appearing for the accused had stated on 10.12.2015 that he would not be filing reply thereto. The said application came to be allowed on 02.08.2017 (Annexure P-2). Thereafter, the examination-in-chief of two of the witnesses had taken place, but the cross-examination could not take place due to the fact that they did not appear and no steps were taken to effect their presence. Reference to order dated 19.01.2023, was also made to show that no PW was present and PWs 4, 5, 6, 7, 10 and 11 were summoned for 30.01.2023, however, even thereafter, no steps were taken to procure their presence. Learned counsel limits his prayer at

this stage to direct the trial Court to decide the matter in a time bound manner and undertakes that the petitioners shall cooperate with the trial and not seek either adjournment or exemption from personal appearance, particularly on the date when PWs are present.

3. Learned State counsel has no objection to the limited prayer made and assures that the prosecution shall also make all efforts to ensure presence of witnesses.

4. Keeping in view the aforesaid facts, the trial Court is requested to make an endeavour to complete the trial expeditiously preferably within a period of 6 months.

5. In view of the above, petition is disposed of accordingly.

(AMAN CHAUDHARY)
JUDGE

May 09, 2023
M.Kamra

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