

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

**CRM-M-24297-2023**

**Date of Decision: May 12, 2023**

VARINDER KUMAR

..... Petitioner

Versus

GOPAL SINGH

..... Respondent

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Mohan Sharma, Advocate for  
the petitioner.

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**HARKESH MANUJA, J. (ORAL)**

1. By way of present petition filed under Section 482 CrPC, prayer has been made for issuance of directions to trial Court/JMIC Panchkula to dispose of the complaint case No.CNR No:HRPK0300252420149 CIS No.NACT/569/2019 titled as “Varinder Kumar Vs. Gopal Singh” in a speedy manner.

2. In the facts of the present case, the petitioner filed a complaint under Section 138 of Negotiable Instruments Act against respondent on 08.05.2019 wherein the respondent was summoned. In pursuance of his summoning, the petitioner was initially declared as proclaimed person, vide order dated 01.11.2021 on account of his non-appearance, however, he later appeared in the proceedings and the matter was posted for “after-charge evidence” in September 2022 and since then no effective hearing has been made as the matter is still pending for “after-charge evidence”.

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3. In view of the aforesaid, learned counsel for petitioner submits that the only intent of respondent is to delay the proceedings in the complaint as for the past 4 years except for appearance of respondent no substantial proceedings have taken place.

4. I have heard learned counsel for the petitioner and gone through the paper-book.

5. Considering the fact that the complaint was filed on 08.05.2019 and for the past almost 4 years now even the “after-charge evidence” has not started and the delay is apparently attributable to respondent only who has been avoiding the process of Court, earlier through his non-appearance and now by seeking unnecessary exemptions from his personal appearance.

6. Considering the facts and circumstances narrated above, the present petition is disposed of with a request to trial Court to expedite the proceedings in the afore-mentioned complaint and to conclude the same within six months from the date of receipt of certified copy of the order as even mandated under Sub-Section 3 to Section 143 of Negotiable Instruments Act, 1881.

7. The present petition is being disposed of without issuing any notice to the respondent as it may delay the disposal of the complaint and also burden respondent with unnecessary cost towards litigation.

8. Disposed of in the aforesaid terms.

**12.05.2023**

Tejwinder

**(HARKESH MANUJA)****JUDGE***Whether speaking/reasoned**Yes/No*

|                           |               |
|---------------------------|---------------|
| <i>Whether Reportable</i> | <i>Yes/No</i> |
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