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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-1060-2018 (O&M)
Date of decision : 04.07.2023

Balwinder Singh ... Petitioner(s)

Versus

Gurmit Singh & Ors. ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Kanwar Pahul Singh, Advocate for the petitioner.

Mr. Ishnoor Singh, Advocate for
Mr. Vikram Singh, Advocate for respondent Nos.1 to 3.

Mr. M.S. Tiwana, AAG Punjab for respondent No.4.

ALKA SARIN, J. (ORAL)

CRM-10159-2018

1. This is an application for condonation of delay of 29 days in filing the petition.

2. For the reasons stated in the application, delay of 29 days in filing the petition is condoned. CRM stands disposed off.

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3. The only grievance of the petitioner in the present case is that the application filed under Section 216 of the Code of Criminal Procedure, 1973 (CrPC) is not being decided. Explanations had been sought by this Court as far back as in 2019. The explanation received from the Trial Court

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was that the delay was unintentional.

4. Learned counsel for the petitioner would contend that since 2018, there is no progress in the application under Section 216 CrPC. Learned counsel has further clarified that the matter is pending in Court at Gurdaspur.

5. Learned counsel for respondent Nos.1 to 3 is not in a position to deny the fact that the application under Section 216 CrPC is still pending.

6. In view of the limited prayer, the present petition is disposed off with a direction to the Trial Court to decide the application under Section 216 CrPC, in accordance with law, within a period of two months from the date of receipt of certified copy of this order.

7. Disposed off accordingly. Pending applications, if any, also stand disposed off.

04.07.2023
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO