

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-9688-2024 (O&M)
Date of decision: 26.02.2024

Bhumit and another ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Balkar Singh, Advocate
for the petitioners.

MANISHA BATRA, J. (Oral)

1. This petition has been filed by the petitioners under Section 482 of Cr.P.C. seeking issuance of direction to the learned trial Court to decide the application filed by the petitioners under Section 227 of Cr.P.C. seeking their discharge from the case arising out of FIR No. 414 dated 09.07.2021, registered under Sections 313, 323, 34, 506 of the IPC at Police Station Sonipat City, District Sonipat.
2. Learned counsel for the petitioners submits that petitioner No. 1 was married with respondent No. 2 on 10.12.2020 but due to some temperamental differences, respondent No. 2 has got registered the aforementioned FIR with false allegations. It is further submitted that after completion of the investigation, *challan* has been presented in the Court and

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the case is at the stage of framing charge. The petitioners have filed an application under Section 227 of Cr.P.C. on 29.05.2023 seeking their discharge but the same has not yet been decided by the trial Court and it is being adjourned time and again for filing reply to the same. Learned counsel for the petitioners submits that keeping in view the fact that the aforesaid application is pending for a quite long time, an appropriate direction may be issued to the learned trial Court to decide the same expeditiously.

3. I have heard learned counsel for the petitioners and have also gone through the material placed on record.

4. A perusal of order dated 29.05.2023 (Annexure P-3) shows that the petitioners had filed an application under Section 227 of Cr.P.C. seeking their discharge on that very day but the same has not yet been decided by the learned trial Court. The case is now fixed for 05.03.2024 for filing reply to the aforesaid application. It is apparent that a period of almost one year has elapsed since the filing of the aforementioned application and the same is still pending adjudication. Therefore, without commenting anything on the merits of the case, the present petition is disposed of with a direction to the learned trial Court to hear the arguments on the date so fixed before it i.e. 05.03.2024 and decide the said application on the same day, in accordance with law.

26.02.2024

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No