

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-19165-2024 (O&M)
Date of decision: 26.04.2024

BHAGWANA ALIAS BHAGWAN SINGH

....Petitioner(s)

Versus

STATE OF HARYANA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. C.M. Munjal, Advocate for the petitioner(s).

Mr. Surender Singh, AAG Haryana.

SANJIV BERRY. J. (Oral)

It is, *inter alia*, contended by learned counsel for the petitioner that the aforesaid case is pending trial in the Court of Additional Sessions Judge, Fatehabad, wherein the prosecution evidence has been concluded and now the case has been adjourned for 30.04.2024 for defence evidence. He submits that all the defence, whichever was to be adduced has already been adduced and no more witness is to be examined in defence, but the learned trial Court is delaying the disposal of the case on one pretext or the other. He submits that the petitioner is in custody for more than 4 years.

2. Learned counsel for the petitioner further submits that the counsel representing the petitioner will address arguments on the next date before the trial Court i.e. 30.04.2024.

3. Learned counsel for the petitioner seeks withdrawal of the present petition at this stage, however, has sought indulgence of this Court to impart appropriate directions to the learned trial Court to conclude the trial in an expeditious and time bound manner.

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4. On the asking of the Court, Mr. Surender Singh, AAG Haryana has put in appearance and has admitted the factual matrix qua the conclusion of prosecution case and the next date is 30.04.2024 for defence evidence.

5. Keeping in view the above submissions, without commenting on the merits of the case, the present petition is dismissed as withdrawn at this stage.

6. Before parting, keeping in view the submissions made by learned counsel for the petitioner, especially the fact that the petitioner is in custody for more than 4 years, it is deemed appropriate and in the interest of justice, to direct the learned trial Court to make earnest efforts to dispose of the trial within 1 month from the next date of hearing i.e. 30.04.2024, in accordance with law and if need be, by adjourning the matter on day-to-day basis.

(SANJIV BERRY)
JUDGE

26.04.2024
S.Sharma(syr)

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/ No*