

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-18585-2024

Date of Decision: 18.04.2024

Anmol

.... Petitioner

Versus

State of Haryana

.... Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Pankaj Bali, Advocate for the petitioner.

NIDHI GUPTA, J. (ORAL)

Prayer in the present petition under Section 482 Cr.P.C. is for issuing directions to the learned Additional Sessions Judge, Karnal to decide the CRR No. 100-2021 dated 05.10.2021 (Annexure P-4) in a time bound manner i.e. revision petition against the order dated 17.09.2021 passed by learned Principal Magistrate, Juvenile Justice Board, Karnal, vide which the application under Section 319 Cr.P.C. has been dismissed in case FIR No. 5 dated 08.01.2021 under Sections 341, 354A (1)(i), 354D(1)(i), 452, 506, 509, 34 IPC and 8 of POCSO Act at Police Station Kunjpura, Karnal (Annexure P-1).

Learned counsel for the petitioner *inter alia* submits that the petitioner is the main accused in aforementioned FIR. It is stated that an application was filed on behalf of the complainant/victim seeking

summoning of the father, mother and sister of the petitioner as additional accused. The said application was dismissed by the learned Principal Magistrate, Juvenile Justice Board vide order dated 17.09.2021 (Annexure P-3). The said order has been challenged by the complainant before the learned Additional Sessions Judge, Karnal by way of present pending CRR No. 100-2021 on 05.10.2021 (Annexure P-4).

Learned counsel for the petitioner submits that the petitioner is a student of B.Com final year and wants to go abroad for higher studies. However, due to pendency of the CRR No. 100-2021, his studies are suffering. The learned Additional Sessions Judge, Karnal has further stayed proceedings before the learned Principal Magistrate, Juvenile Justice Board, Karnal vide order dated 06.01.2022 (Annexure P-5). Learned counsel refers to the zimni orders dated 06.01.2023 (Annexure P-13), 16.03.2023 (Annexure P-14), 08.05.2023 (Annexure P-15), 24.08.2023 (Annexure P-16), 30.10.2023 (Annexure P-17) and 15.01.2024 (Annexure P-18) passed by the learned Additional Sessions Judge, Karnal to contend that the matter has been repeatedly adjourned on one pretext or the other.

Learned counsel for the petitioner further submits that in view of the above, great loss, uncertainty regarding future career and harassment is being caused to the petitioner. Hence, direction may be issued to learned Additional Sessions Judge, Karnal to decide the CRR No. 100-2021 in a time bound manner. The next date of hearing before the learned Additional Sessions Judge, Karnal is 07.05.2024.

Notice of motion.

Mr. Ranvir Singh Arya, Additional Advocate General, Haryana accepts notice on behalf of the respondent-State. It is stated that the order of learned Additional Sessions Judge, Karnal vide which further proceedings before the learned Juvenile Justice Board are stayed is 21.01.2022 (Annexure P-6).

In view of the submissions made herein above by learned counsel for the petitioner which are not disputed by learned counsel for the State, the present petition is allowed and the learned Additional Sessions Judge, Karnal is directed to decide the CRR No. 100-2021 within a period of four months from the date of receipt of certified copy of this order.

Pending applications, if any, stand disposed of.

18.04.2024

Divyanshi

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No