



114

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-23842-2024 (O&M)
Date of decision: 11.07.2024

Dinesh Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. P.S. Paul, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 Cr.P.C. seeking direction to learned trial Court to conclude the trial of case titled as '*State Vs. Dinesh Kumar and others*' arising out of FIR No.222 dated 21.10.2018 under Sections 304-B & 120-B of IPC, registered at Police Station Jamalpur, District Ludhiana, pending in the Court of learned Additional Sessions Judge, Ludhiana, in a time bound manner.

2. On 14.05.2024, following order was passed by this Court: -

"The petitioner is seeking issuance of direction to the trial Court for concluding the trial in a time bound manner in case arising

out of FIR No. 222 dated 21.10.2018, registered under Sections 304-B and 120-B of IPC at Police Station Jamalpur, District Ludhiana, titled as State vs. Dinesh Kumar and others, which is pending in the Court of learned Additional Sessions Judge, Ludhiana.

Learned counsel for the petitioner submits that charges in this case were framed as on 18.03.2021 and since then, a period of more than 03 years has passed but only 10 witnesses out of total 26 witnesses have been examined so far, despite the fact that many times last opportunities have been granted by the trial Court. Copies of orders, passed by the trial Court, have also been placed on record and a perusal of the same reveals that though vide order dated 20.01.2023, last opportunity was granted by the trial Court to the prosecution to conclude its evidence. However, thereafter also, a period of more than 01 year and 04 months has passed but every time either last opportunity is granted or the case is simply adjourned. No coercive action is shown to have been taken by the trial Court for the purpose of securing presence of the witnesses.

Let a report be taken from the Court concerned to show as to what stringent action has been taken or coercive method has been adopted by it for securing the presence of the witnesses and also to show as to why so many last opportunities have been granted.

The report be awaited for 11.07.2024.”

3. In compliance of the aforesaid order, report of the trial Court is received, which indicates that the case was fixed for defence evidence and the witnesses were summoned for 05.07.2024 and they were again summoned for

10.07.2024. Learned trial Court has indicated that the trial would be concluded at the earliest.

4. Learned State counsel submits that the prosecution has already examined all the prosecution witnesses and the trial is at the fag end.

5. In view of the above, no further directions are required to be issued.

6. Accordingly, present petition is disposed of.

[HARPREET SINGH BRAR]
JUDGE

11.07.2024
vishnu

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No