

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-36099-2023

Date of Decision : September 09, 2024

AMARJIT SINGH AND OTHERS

-PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Dr. Govinder Singh Brar, Advocate
for the petitioners.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant petition, as instituted under Section 482 of the Cr.P.C., the petitioners have sought quashing of FIR No.56 dated 08.03.2017, under Sections 323, 341, 506, 34 of the IPC, registered at P.S. Samrala, District Khanna, along with all consequential proceedings arising therefrom, primarily on the ground that, the sword of this FIR has been hanging upon them since 2017 and charges have been framed way back in the year 2019, but, the prosecution has not yet concluded its evidence.

2. The learned State counsel has, on instructions imparted to him by A.S.I. Sukhwinder Singh, verified that, despite the Final Report becoming presented on 05.06.2017 and despite the charges becoming framed on 06.12.2019, yet only 04 prosecution witnesses, out of total 15 witnesses, have been examined so far.

3. Although the learned counsel for the petitioners has raised

certain other issues as well, however, since those issues involve disputed question(s) of fact(s), which cannot be adjudicated by this Court in the instant proceedings launched under Section 482 of the Cr.P.C., rather the same require them being adjudicated by the learned trial Court concerned, after evidence becomes adduced before it by the parties, therefore, this Court refrains from making adjudication thereof.

4. However, considering the snail pace of trial, this Court deems it imperative to direct the learned trial Court concerned to make all efforts to expeditiously complete the recording of prosecution evidence. Moreover, the S.S.P. concerned is also directed to ensure the presence of all remaining prosecution witnesses, on each and every date, as fixed by the learned trial Court concerned, for their examination.

5. A copy of this order be forthwith sent to the learned trial Court concerned, and, to the S.S.P. concerned for information and compliance.

6. Disposed of accordingly.

September 09, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No