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

CRM-M-34958-2024

Date of Decision:- 24.07.2024

Gurmeet Singh Badwal

....Petitioner

Versus

State of Punjab and Another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Maninder Singh Saini, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab
for respondents No. 1 and 2-State.

AMARJOT BHATTI, J.

1. Petitioner Gurmeet Singh Badwal has filed petition under Section 482 of Cr.P.C. for issuing direction to Court concerned for expeditious disposal of trial in NDPS case No. 141 of 2020, in FIR No. 175 dated 27.09.2019, registered at Police Station Sadar Kapurthala, under Sections 22, 25 and 29 of NDPS Act, under Section 25 of Arms Act, under Sections 420, 465, 468, 471 and 120-B of Indian Penal Code and under Section 12 of Passport Act.

2. It is pointed out that petitioner was not named in said FIR. He was falsely implicated in this case. He was granted bail. Now, trial is going on since long. On five hearings before trial Court, no prosecution witness was present. Therefore, it was prayed that disposal of trial be expedited.

3. Notice of motion.

On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab



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accepts notice on behalf of State. Learned State counsel pointed out that prosecution evidence is under progress. Out of 25 prosecution witnesses, 11 witnesses have been examined.

4. I have considered the arguments advanced before me. Learned counsel for petitioner has placed on record *zimni* orders in aforesaid trial, Annexure P-3, in order to support his arguments that on several dates, no prosecution evidence was being recorded. I have considered the documents on record which clearly indicates that except Vikramjit Singh @Vicky, other accused are on bail. Challan in this case was presented on 20.03.2020 and it is alleged that charge-sheet was framed on 07.07.2022. As referred above, prosecution has already examined 11 prosecution witnesses. Therefore, it cannot be said that trial in this case is moving at a slow pace. It cannot be ignored that trial Court i.e. Judge, Special Court, Kapurthala is to deal with many such cases or may be some of the cases are older than the present trial. At the same time, present trial falls in the category of old case. Therefore, learned trial Court is directed to expedite the trial and to make special efforts to procure the service of witnesses and for disposal of case speedily, as per law. Copy of this order be sent to learned trial Court for necessary information and compliance.

5. Petition is accordingly, disposed of.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

24.07.2024

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(AMARJOT BHATTI)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No