2024:PHHC:097876

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-36785-2024
Date of Decision:01.08.2024

Khurshid ...Petitioner(s)

Vs.

State of Haryana ...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Sanjeev Kumar , Advocate for the petitioner.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 482 Cr.P.C. with a prayer to direct the trial Court to adjudicate the application under Section 319 Cr.P.C. moved by the petitioner in a Sessions Case No. 344 of 2022 titled as "**State Vs. Salauddin"** arising out of FIR No. 377 dated 05.12.2021 under Sections 148, 149, 323 and 307 of IPC and Section 25 of Arms Act, Police Station Hathin, District Palwal.

2. Learned counsel for the petitioner contends that during the course of trial, the petitioner had moved an application under Section 319 Cr.P.C. on 06th November 2023 for summoning the accused, namely, Shaukat, Badan and Rashid to face trial alongwith the accused, who were already arrayed as accused. Learned counsel further contends that after filing of the application under Section 319 Cr.P.C., the case has been adjourned before the trial Court and appropriate directions may be issued to the trial Court for the expeditious disposal of the application.

3. I have heard learned counsel for the petitioner and perused the record.

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4. From the record, it is apparent that the application was filed on 06th November 2023 and the notice was issued to the State of Haryana for 15.01.2024. On 15.01.2024, the Presiding Officer was not holding Court and the case was adjourned to 11.03.2024, when the reply was filed before the trial Court. Ultimately, the case was adjourned to 30th May 2024, when an adjournment was requested and the case is now listed for 03rd August 2024. From the various zimini orders passed by the trial Court, it is apparent that there is no unreasonable delay on the part of the trial Court in the disposal of the application under Section 319 Cr.P.C. However, the application was filed on 06th November 2023 and is pending for the last about 08 months. So, the trial Court is expected to dispose of the application at the earliest, in accordance with law.

5. Disposed off.

01.08.2024 **(N.S.SHEKHAWAT)**
amit rana **JUDGE**

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No

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