

CRM-M-42650-2023

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

Sr. No.101**CRM-M-42650-2023****Date of Decision: 28.05.2024****LAKHWINDER SINGH ALIAS LAKHA****....Petitioner****Versus****STATE OF PUNJAB****.....Respondent****CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Pardeep Kumar Kapila, Advocate for the petitioner.

H.C. Sukhvir Singh, along with
Ms. Jagriti Kalia, AAG, Punjab for the respondent-State.

ARCHANA PURI, J. (Oral)

At this stage, it has been brought to the notice of the Court by learned State Counsel that two witnesses, which were required to be examined, as observed in the order dated 08.05.2024, have been examined. However, an application under Section 311 Cr.P.C., was filed, basically on the context that the Investigating Officer had died and the attesting witness, Surinder Singh Dhaliwal, was required to be summoned, on this account. She submits that the said application has been allowed vide order dated 27.05.2024, copy whereof has been filed in the Court today and the same is taken on record. Now, the case before learned Trial Court is fixed for 30.05.2024. On instruction of H.C. Sukhvir Singh, learned State Counsel has given an assurance on behalf of the State to examine the aforesaid witness, on the next date i.e. 30.05.2024.

In the given circumstances, learned counsel for the petitioner submits that at this stage, he does not press this petition and the same may be

CRM-M-42650-2023

dismissed as withdrawn.

Ordered accordingly.

However, at this stage, learned counsel for the petitioner has brought to the notice of the Court that the order dated 02.09.2022 passed by this Court in CRM-M-4608-2022, a request was made to learned Trial Court to conclude the trial expeditiously and dispose of the case, in accordance with law, at the earliest possible. In the given circumstances, he submits that some time bound direction may be given to learned Trial Court to conclude the trial.

Copy of the order dated 02.09.2022 passed in CRM-M-4608-2022 is Annexure P-6. Perusal of the same reveals that, at the time of dismissal of the bail petition, aforesaid observations were made, but, till date, examination of witnesses of prosecution has not completed.

In the given circumstances, State is hereby directed to ensure the presence of Surinder Singh Dhaliwal before learned Trial Court, on the next date i.e. 30.05.2024 and learned Trial Court shall examine the said witness, on that very day and if not so on that date, within a period of two days thereafter. After the examination of the said witness, learned State Counsel, on instructions of H.C. Sukhvir Singh, submits that the prosecution shall be closing the evidence. Upon closing of the evidence by the prosecution, an endeavour shall be made by learned Trial Court, to decide the case by 31.07.2024.

28.05.2024

Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No