



**111 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-44879-2024
Date of Decision:10.09.2024

HARWINDER SINGH

..... Petitioner

VERSUS

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Varun Goyal, Advocate
for the petitioner.

KARAMJIT SINGH, J. (ORAL)

The present petition has been filed by the petitioner under Section 528 of BNSS, 2023 seeking direction to the learned trial Court to conclude the trial in criminal case having FIR No.138 dated 10.07.2021 registered under Sections 379, 411 of IPC (Section 411 of IPC added later on) at Police Station Division No.6, Jalandhar, in a time bound manner.

2. Counsel for the petitioner submits that charges in the present case were framed on 09.01.2024 and thereafter prosecution has been unable to examine even two witnesses out of total nine witnesses. That key witness namely PW-1-Complainant of the case appeared in the witness-box on 18.04.2024 and was partly examined and his remaining statement was deferred for want of case property but thereafter he failed to turn up in the Court despite being bound down for 02.06.2024.



3. Notice of motion.
4. Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on instructions from ASI Dilbagh Singh submits that after the framing of charges, the trial commenced and prosecution has already partly examined the complainant and one another witness namely PW-2 and now the next date fixed in the trial is 24.10.2024 for recording of the statements of remaining unexamined witnesses. However, the State counsel has not disputed the fact that complainant appeared in the witness-box as PW-1 on 18.04.2024 and was partly examined on that date and thereafter he failed to turn up in the Court despite being bound down on 02.06.2024.
4. Taking into consideration the aforesaid facts and circumstances of the case and without expressing any opinion on the merits of the case, the present petition is hereby disposed of and the learned trial Court is requested to make sincere efforts to examine the unexamined prosecution witnesses by giving short dates and to decide the trial preferably within a period of next one year.

10.09.2024

Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

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