



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

CRM-M-44506-2024

Date of Decision:09.09.2024

Jarnail Singh @ Sodhi @ Ghotra

...Petitioner

vs.

State of Punjab and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Ms. Satpreet Grewal Kapila, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 of Cr.P.C with a prayer to direct the Trial Court to conclude the trial of the case titled as “ State Vs. Jarnail Singh” arising out of FIR No. 267 dated 26.10.2020, registered under Sections 323,324,452,427,506 of IPC, Police Station Tanda, District Hoshiarpur (Annexure P-1).

2. Learned counsel for the petitioner contends that the petitioner/ accused and the complainant side are closely related to each other, as the complainant and the petitioner are real brothers. She further contends that the petitioner as well as the complainant side are NRIs. The challan in the present case was filed before the Court of Area Magistrate on 24.01.2022 and thereafter, the charge was framed by the Trial Court on 04.05.2022. Earlier the petitioner had filed a CRM-M-33506-2023 (Annexure P-12) before this Court and vide order dated 14.07.2023, this Court had directed the Trial Court to expedite the trial and to conclude the same as early as possible. Even a lapse of more than 01 year and 02 months, the prosecution has been able to examine

only 05 witnesses so far and 04 witnesses are yet to be examined before the Trial Court. Learned counsel further contends that the petitioner is a Non-resident of India and is not able to leave the country during the pendency of the criminal trial in the present case. Consequently, appropriate directions may be issued to the Trial Court to conclude the trial in a fixed time frame.

3. Notice of motion.
4. On the asking of the Court, Mr. I.P.S Sabharwal, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and submits that in the present case, every endeavour has been made by the prosecution to conclude the trial at the earliest. He further contends that 05 witnesses have already been examined and 03 witnesses were given up by the prosecution. He has further assured the Court that the 04 other prosecution witnesses shall be examined at the earliest by the prosecution.
5. I have heard learned counsel for the parties and perused the record.
6. In the present case, this Court had directed the Trial Court to expedite the trial and to conclude the same as early as possible. However, it is apparent that the prosecution has been able to examine only 05 witnesses so far and there are no chances of early conclusion of the trial; whereas, on the other hand, the petitioner, who is Non-resident of India is suffering due to delay disposal of trial. Consequently, the Trial Court is directed to conclude the trial within a period of 06 months from the next date of hearing fixed before the Court.
7. Disposed of.

09.09.2024
hitesh

(N.S.SHEKHAWAT)
JUDGE

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