

2024:PHHC:156812



IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

125

CRM-M-45029-2024 (O&M)
Date of decision: 27.11.2024

Harwinder Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present:- Mr. Rahul Prashar, Advocate for
Mr. Varun Goyal, Advocate
for the petitioner.

Ms. Ruchika Sabherwal, Sr. DAG, Punjab.

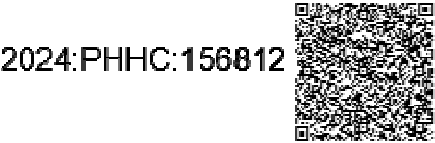
MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking direction to the learned Chief Judicial Magistrate, Jalandhar to conclude the trial of the case arising out of FIR No. 59 dated 30.06.2021, registered under Sections 379 and 34 of IPC at Police Station Division No. 4, Jalandhar in a time bound manner.

2. On 11.09.2024, the following order was passed by this Court:

“...It is submitted by learned counsel for the petitioner that charges in this case were framed way back on 13.06.2023 but so far, not even a single witness has been examined by the prosecution. Despite the last opportunity having been granted, learned trial Magistrate had adjourned the matter further, therefore, prayer has been made for issuance of direction to learned trial Magistrate.

Let a report be called from the Chief Judicial Magistrate, Jalandhar with regard to the number of witnesses, if any examined after 05.09.2024 and also directing him/her to make best efforts in ensuring the presence of witnesses. He/she can also give appropriate



directions to the concerned Superintendent of Police in this regard.
Adjourned to 27.11.2024.”

3. In compliance with the aforementioned order, a report dated 21.11.2024 has been received from the learned Chief Judicial Magistrate, Jalandhar, wherein it is submitted that in pursuance of order dated 11.09.2024, summons to all the witnesses were issued and the Commissioner of Police was directed to ensure the presence of the witnesses. It is further submitted that two witnesses were examined on 24.10.2024 and examination-in-chief of other two witnesses were recorded in part on 08.11.2024 and their further examination was deferred for want of identification of the accused as on the said date, an application for exemption from personal appearance was moved by the present petitioner. The case is stated to be fixed for 27.11.2024 i.e. today and the remaining witnesses have also been summoned for the said date.

4. After going through the report received from the learned trial Court/Chief Judicial Magistrate, Jalandhar, it is apparent that sincere efforts are being made by the learned trial Court to expedite the trial. Hence, the present petition is disposed of with a direction to the learned trial Court to ensure that the trial is concluded expeditiously.

27.11.2024	(MANISHA BATRA)
Waseem Ansari	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No