

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

CRM-M-48996-2023

Date of Decision:16.01.2024

Gurpreet Singh @ Gopi @ Kaura

...Petitioner

vs.

State of Punjab

...Respondent

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

Present : None for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 482 Cr.P.C with a prayer to conclude the trial expeditiously in a case arising out of FIR No.90 dated 22.06.2015 under Sections 223,224,225,120-B,148,149 of IPC (charge framed under Sections 148,307,353,332,225,212,216,473,149 of IPC) and under Sections 25/54/59 of Arms Act, Police Station Civil Lines Batala, District Batala.

2. It has been pleaded by the petitioner that the FIR in the present case was registered against him on 22.06.2015 and charge was ordered to be framed against him on 19.04.2021. It has been further pleaded in the present case that the petitioner is facing the agony of trial since 2015 i.e for the last more than 08 years and the trial has not concluded so far. Even a reference has been made to Section 309 Cr.P.C, which lays down that the proceedings of trial should be held as expeditiously as possible and the witnesses should be examined without any delay. It has been further pleaded

that the concept of speedy trial is read into Article 21 of the Constitution of India as an essential part of the fundamental right to life and liberty guaranteed and preserved under the Constitution. Even the constitutional guarantee of speedy trial is properly reflected in Section 309 of Cr.P.C.

3. Notice of motion.

4. On the asking of the Court, Mr. M.S. Bajwa, DAG, Punjab, who is present in the Court, accepts notice on behalf of the respondent-State and submits that 16 witnesses out of total 18 witnesses have been examined so far and the prosecution shall make endeavour to examine all the prosecution witnesses. He further contends that the next date of hearing before the Trial Court is fixed on 01.04.2024.

5. I have heard learned State counsel and perused the paperbook carefully.

6. In view of the submissions made by both the parties, it would be appropriate to direct the Trial Court to conclude the trial expeditiously, preferably within a period of six months from today.

7. Needless to mention here that ample opportunity may also be granted to the accused to lead his defence evidence, if any, in accordance with law.

8. The petition stands allowed in abovesaid terms.

(N.S.SHEKHAWAT)
JUDGE

16.01.2024
hitesh

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