



(111)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58436-2024 (O&M)
Date of decision:- 29.11.2024

Daffodil Software Pvt. Ltd.

...Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present:- Mr. Sanchit Punia, Advocate,
for the petitioner.

Mr. Deepak Balyan, Additional Advocate General, Haryana.

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SHEEL NAGU, C.J. (ORAL)

1. The petitioner invoking the inherent powers of this Court has filed this petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in regard to FIR No. 286 dated 08.08.2016 under Sections 66 and 66(B) of the Information Technology Act, 2000 and Section 120-B of the Indian Penal Code, 1860 registered at Police Station Sector 40, District Gurugram raising grievance that an application under Section 311 Cr.P.C. (Section 348 of the BNSS, 2023) filed by the prosecution as early as on 20.05.2019 continues to be pending adjudication before the learned trial Court and the trial is being adjourned merely awaiting for reply of the said application which is evident from the last order passed by the learned trial Court on 19.07.2024.



2. No trial Court ought to keep any interlocutory application pending for a long period of time as it results in unnecessary delay in conduction of trial.
3. This petition is disposed of with a direction to the learned trial Court to first decide the application under Section 311 Cr.P.C. even in the absence of reply of the accused who has been granted sufficient opportunity of filing the same.
4. Let the application under Section 311 Cr.P.C. be decided within a a period of 30 days. Thereafter, the trial be concluded as expeditiously as possible.

(SHEEL NAGU)
CHIEF JUSTICE

29.11.2024
Amodh Sharma

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