Sr. No.120

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-59748-2024
Date of decision: 29th November 2024

RAMAN BHARDWAJ .....Petitioner

versus

STATE OF HARYANA AND ANOTHER .....Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amit Jain, Advocate
for the petitioner.

HARPREET KAUR JEEWAN, J. (ORAL)

1. The instant petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for issuance of appropriate directions to the learned Judicial Magistrate First Class, Gurugram, to decide the case bearing CIS No.CHI-1525-2017 dated 29.04.2017, arising out of FIR No.47 dated 01.03.2017, under Sections 498-A, 406, 506 IPC, 1860, registered at Police Station Women, Gurugram (Annexure P-1).

2. Learned counsel for the petitioner contends that an application under Section 319 Cr.P.C. was filed on 12.09.2019, which is still pending. As such, the trial proceedings are being delayed. The petitioner is facing prolonged trial as an accused on account of the delay in the disposal of the said application.

3. Notice of motion.

4. Mr. Kirpal Singh Thakur, AAG, Haryana, accepts notice on behalf of respondent-State and on instructions from ASI Meena, he confirms that all the prosecution witnesses have already been examined.

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5. Keeping in view of the facts of the case, issuance of notice to respondent No.2 is dispensed with, as it would further delay the proceedings.

6. All the zimni orders w.e.f. 29.04.2017 to 08.10.2024, have been reproduced from page Nos.5 to 25 of the paper book. The petition is supported with a duly-sworn affidavit of the petitioner.

7. In view of the facts and circumstances of the present case, the present petition is disposed of with directions to the trial Court to decide the aforesaid application as expeditiously as possible.

8. However, liberty is reserved in favour of the petitioner to file an application for preponement before the trial Court.

9. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

29th November 2024
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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