



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

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**CRM-M-6943-2025
Decided on: 05.03.2025**

Ranpreet Singh**.....Petitioner****Versus****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**

Present: Mr. Mohan Singh Chauhan, Advocate for the petitioner.

SANJAY VASHISTH, J.

1. Present petition has been filed under Section 528 of BNSS, praying for time bound trial of the case bearing FIR No.258 dated 07.12.2019, under Sections 21/22 of NDPS Act and Section 25 of Arms Act, registered at Police Station Tanda, District Hoshiarpur.

2. On 06.02.2025, following order was passed :

“Present: Mr. Mohan Singh Chauhan, Advocate
for the petitioner.

Present petition has been filed under Section 528 of BNSS, praying for time bound trial of the case bearing FIR No. 258 dated 07.12.2019, under Sections 21/22 of NDPS and Section 25 of Arms Act, registered at Police Station Tanda, District Hoshiarpur.

*Learned counsel for the petitioner submits that petitioner being accused in case FIR No.258 dated 07.12.2019, under Sections 21/22 of NDPS act and Section 25 of Arms Act, thus, interested in speedy trial, in view of the law laid down by Hon'ble Supreme Court in '**Kartar Singh Vs. State of Punjab and connected case, 1994(2), RCR 169**'. Counsel submits that petitioner has been falsely involved in the aforesaid case on 07.12.2019 and after completion of investigation final report/challan was submitted by the Investigating agency on 22.03.2021. Thereafter, after a period of more than two years and six months charges were framed by learned trial Court on 22.11.2023, but till date, proceedings for recording of prosecution witnesses are going on. Counsel also submits that though petitioner is on bail, but it is not the case*



where the delay in the trial occurred because of the conduct and behaviour of the petitioner.

Let copy of this order be forwarded to learned Sessions Judge concerned, who will forward its report to this Court as to why the proceedings are going in a slow pace.

List on 05.03.2025.

To be shown in the urgent list.”

3. In pursuance thereto, report vide letter No.132 dated 19.02.2025 has been received from learned Additional Sessions Judge, Hoshiarpur, wherein it is mentioned that the proceedings of trial are prolonged only because of the accused persons (petitioner herein). For reference, report dated 19.02.2025 is as under:

*“ From
Jaswinder Sheemar
Additional Sessions Judge
Hoshiarpur*

*To
The Learned District and Sessions Judge,
Hoshiarpur.*

Subject: Report in CRM-M-6943 of 2025 titled as “Ranpreet Singh Vs. State of Punjab” (Next date 05.03.2025).

Respected sir,

Kindly refer to your office letter No.2927 dated 14.02.2025 vide which undersigned has been directed to send detailed report pertaining to CRM-M-6943 of 2025 titled as “Ranpreet Singh Vs. State of Punjab”

In this regard, it is submitted that FIR No.258 dated 07.12.2019 was registered against two accused namely; Rana Partap Singh and Ranpreet Singh (brothers) U/s 21,22 of NDPS Act and Section 25 of Arms Act.

The final report U/s 173 Cr.P.C. was filed against both the accused on 22.03.2021 before the Ld. Predecessor of this Court. In absence of accused. Due to surge in novel Corona Virus, the accused had not appeared for 05.05.2021, 07.09.2021 before the Ld. Predecessor of this Court. Further the appearance of both the accused was exempted by the Ld. Predecessor of this Court for 24.11.2021, 24.01.2022. The accused seems to have appeared before Ld. Predecessor of this Court on 06.04.2022 for the first time and the case was adjourned for 07.05.2022 for consideration on charge. Again on 07.05.2022, both the accused had not appeared before the Ld. Predecessor of this Court, therefore, notice to both the accused was issued for 03.08.2022.



On 03.08.2022, on an application the appearance of both the accused was again exempted by the Ld. Predecessor of this Court and adjourned to 15.10.2022 for supplying copies to the accused as well as for consideration of charge. On 15.10.2022, the file was put up before Duty Judge as the Ld. Predecessor of this Court was on casual leave. On 15.10.2022, accused Ranpreet Singh appeared, however, on an application appearance of accused Rana Partap was exempted and case was adjourned to 27.01.2023 for consideration on charge. On 27.01.2023, the appearance of accused Ranpreet Singh was exempted in view of the application filed by his counsel and again the accused Rana Partap did not appear before the Ld. Predecessor of this Court, therefore, he was ordered to be summoned through on bailable warrants of arrest for 02.06.2023.

The present case was put up before the undersigned on 02.06.2023 for the first time. On 02.06.2023, accused Ranpreet Singh appeared and since the accused Rana Partap Singh was already ordered to be summoned through non bailable warrants of arrest, therefore, his fresh non bailable warrants were ordered to be issued for 02.08.2023. On 02.08.2023, non bailable warrant of accused Rana Partap Singh received back with the report that he has gone abroad, and undersigned being satisfied that he was avoiding execution of non bailable warrants of arrest, therefore, issued proclamation by affixing two dates i.e. for affixation 28.08.2023 and report till 03.10.2023. On 03.10.2023, the proclamation against accused Rana Partap Singh was received back duly effected and he was declared as proclaimed offender and case was adjourned to 22.11.2023, for consideration on charge against accused Ranpreet Singh. On 22.11.2023, charges were framed against Ranpreet Singh under Section 21, 22 of NDPS Act and Section 25 of Arms Act and case was fixed for 23.04.2024 for prosecution evidence. On 23.04.2024, one PW ASI Amarjit Singh was partly examined as case property was not produced and therefore, he was bound down for 23.10.2024 and on that day, prosecution witnesses namely HC Jiwan Lal, SI Surinder Singh and HC Nachattar Singh were given up by the APP for the State, vide his separate statement. On 23.10.2024, two Pws namely Retired ASI Rajan Vasudeva and Parveen Bibi were examined and remaining Pws were ordered to be summoned for 13.02.2025. On 13.02.2025, no PW was present and prosecution witnesses were ordered to be summoned for 03.05.2025.

It is pertinent to mention here that firstly the final report U/s 173 Cr.P.C. was filed against the accused in their absence. The accused have not appeared before the Ld. Predecessor of this Court due to Surge in Noval Corona Virus for two dates. Thereafter, the personal exemption of the accused been sought from time to time from the Ld. Predecessor of this Court and except on 06.04.2022 and 15.10.2022. Thereafter, the non bailable warrants of accused Rana Partap were issued on 27.01.2023 and 02.06.2023 and he was declared proclaimed



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offender as on 03.10.2023 and case was adjourned to 22.11.2023 for consideration on charge, on which date charges were framed against the accused Ranpreet Singh was framed and case was adjourned to 23.04.2024, on which date one PW was examined partly and case was adjourned to 23.10.2024 on which date, two Pws were examined and case postponed for 13.02.2025 and on 13.02.2025 no PW was present.

Hence, report submitted please.

*Yours faithfully,
Jaswinder Sheemar
Additional Sessions Judge
Hoshiarpur.”*

4. There being no substantive ground to entertain the prayer made in the present petition, same is hereby dismissed.

(SANJAY VASHISTH)
JUDGE

March 05, 2025

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Whether Speaking/Reasoned: YES/~~NO~~
Whether Reportable: ~~YES~~/NO