



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

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**CRM-M-7863-2025 (O&M)
Date of decision: 13.02.2025**

Rupinder Singh @ Rubi**...Petitioner**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present:- Ms. Diksha Sharma, Advocate
for the petitioner.

MANISHA BATRA, J. (Oral)

1. The instant petition has been filed by the petitioner under Section 528 of Bhartiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') seeking issuance of direction to the learned trial Court to expedite the trial in case titled as *State vs. Rupinder Singh and others*, arising out of FIR No. 118 dated 01.08.2021, registered under Sections 21 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (*for short 'NDPS Act'*) at Police Station Special Task Force, Mohali

2. Learned counsel for the petitioner submits that the petitioner has been booked in the aforesaid FIR and is facing trial for commission of offences punishable under Sections 21 and 29 of the NDPS Act. The trial is pending before the Court of learned Additional Sessions Judge, Ludhiana. However, the prosecution is delaying the disposal of the case as it is still at the stage of recording prosecution evidence. Hence, it is urged that appropriate direction be issued to the learned trial Court to expedite the trial.

3. I have heard learned counsel for the petitioner at length and have also perused the material placed on record.

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4. The petitioner is facing trial in the aforementioned case. He is claiming that the prosecution is delaying the disposal of the trial. Hence, he has prayed for issuing appropriate direction to the learned trial Court to expedite the trial. In order to look into the prayer of the petitioner for early disposal of trial, a reference can be made to the judgment rendered by Hon'ble Supreme Court in *M. Gopalakrishnan & others vs. Pasumpon Muthuramalingam & another : 2022 Live Law (SC) 298*, wherein it has been held that when the petitions seeking directions to trial Court to expedite the trial are filed before the higher courts, the same should be examined from all angles. It was further held that ordinarily before passing any such order for expeditious proceedings in a particular case (which might appear to be rather of innocuous nature), it would be appropriate for the higher Court to appreciate that any such order for one case, without cogent and extremely compelling reasons, might upset the calendar and schedule of the subordinate Court; might result in assigning an unwarranted priority to that particular case over and above other cases pending in that Court; and progression of such other cases might suffer for no reason and none of the faults of the litigants involved therein. Hence, keeping in view the huge pendency of cases before the Courts and also in view of the ratio of law as laid down in aforecited judgment, this Court is of the considered opinion that no compelling or cogent reasons have been made out by the petitioner to issue any direction to the trial Court for deciding the present case on priority or in a time bound manner. Accordingly, the petition is dismissed.

13.02.2025

Waseem Ansari

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No