



CRM-M-12268-2025

-1-

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

114

CRM-M-12268-2025

Date of decision : 25.07.2025

Nazira and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Amandeep Singh Manaise, Advocate for petitioners.

Mr. Kunwarbir Singh, Assistant A.G., Punjab.

AMARJOT BHATTI J. (ORAL)

1. Petitioners Nazira and Nirmal Kumar have filed petition under Section 528 read with Section 529 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking direction to learned Chief Judicial Magistrate, Gurdaspur to expedite the trial in FIR No.3 dated 14.03.2019 (Annexure P-1), under Sections 406, 420, 498-A of IPC, registered at Police Station NRI Gurdaspur, District Gurdaspur or any other direction which the court may deem fit in the given facts and circumstances of the case.

2. Learned counsel for petitioners pointed out that petitioners are old parents-in-law of complainant-Sapna. They are facing great hardship by appearing in the court time and again. Trial is going on at a slow pace. Challan was presented on 22.09.2020 and charges were framed on 10.11.2020. Since then, numerous dates have been given and learned trial Court has failed to conclude the trial. Petitioners are facing great hardship. Therefore, learned Chief Judicial Magistrate, Gurdaspur may be directed to decide the trial in a time bound manner.

**CRM-M-12268-2025****-2-**

3. In order to appreciate the facts, status report has been called for from learned trial Court which is received vide letter No.16267/RKT dated 22.07.2025. Learned Judicial Magistrate Ist Class, Gurdaspur has filed detailed status report confirming that challan was presented in FIR No.3 dated 14.03.2019 (Annexure P-1) (supra) on 22.09.2020 and charges were framed on 10.11.2020. Learned trial Court has given detail of various applications which were moved from time to time. One of the accused Mangat Ram filed application for going abroad twice. Both the times, applications were allowed by learned trial Court and on one occasion time was also extended for his stay in foreign country. Finally, he was given extension to stay abroad till 30.11.2022 but thereafter, he did not return to India within stipulated period. Much time was consumed to procure his presence and finally, he was declared proclaimed offender. The complainant also filed application for release of amount in pursuance of earlier orders. Revision petition was also filed which was finally decided on 20.05.2023. After declaring Mangat Ram as proclaimed offender vide order dated 24.09.2023, now the case is again fixed for recording of prosecution evidence. During pendency of the case, another application has been filed by the complainant under Section 319 Cr.P.C. on 07.07.2025 which was disposed on 09.07.2025. Next date fixed in this case is 22.07.2025. Learned Judicial Magistrate Ist Class, Gurdaspur assured that she will make all possible efforts to dispose of the trial at the earliest.

4. Considering the aforesaid factual position, the delay cannot be attributed either to the trial Court or to the complainant. In fact, one of the accused Mangat Ram filed applications time and again for going abroad which were decided in his favour. He misused the concession granted in his favour and did not return to India even after the extended period and finally, he was declared

**CRM-M-12268-2025****-3-**

proclaimed offender vide order dated 24.09.2023. Now trial is going on at a good pace. Learned Judicial Magistrate Ist Class, Gurdaspur has assured to dispose of the trial at the earliest.

In light of this, no further direction is required and present petition is accordingly disposed of.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

25.07.2025.*Sunil Devi*

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No