



S. No.127

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

**CRM-M-55911 of 2025
Date of Decision:27.11.2025**

Tahzeev Alam**.....Petitioner****Vs.****State of Haryana****.....Respondent****CORAM:- HON'BLE MR. JUSTICE YASHVIR SINGH RATHOR**

Present:- Mr. Rishab Garg, Advocate for the petitioner.

Ms. Vasundhara Dalal Anand. Sr. DAG, Haryana.

Yashvir Singh Rathor, J. (Oral)

1. This petition has been filed under Section 528 of BNSS for quashing the order dated 19.05.2025 (Annexure P.4) passed by Id. JMIC, Gurugram in case FIR No.427 dated 10.11.2017 at Police Station Sector 40, District Gurugram under Sections 420 IPC, 15(3), 15(2) of The Indian Medical Council Act, 1956 and Section 18(c) of the Drugs and Cosmetics Act, 1940, whereby the case was committed to the Court of Sessions, Gurugram for trial after examining 6 out of 7 prosecution witnesses and further for quashing order dated 04.09.2025 (Annexure P.5) passed by Id. ASJ, Gurugram whereby fresh charges have been framed against the petitioner and all consequential proceedings arising out of the same.

2. The grievance raised by the petitioner in the present petition is that the FIR in question was registered on 10.11.2017 and he is facing the trial before the Court of Trial Magistrate. Six out of seven prosecution witnesses have already been examined and now learned Magistrate has formed an opinion that the present



case is triable by the Court of Sessions and he has committed the same to the Court of Sessions for trial. As per his version, he will be prejudiced in setting up his defence to the charge as trial will start de-novo and same set of witnesses will be examined already and has sought quashing of the order dated 19.05.2025 vide which the case has been committed to the Court of Sessions for trial as well as the order dated 04.09.2025 vide which charges have been framed by Additional Sessions Judge, Gurugram along with all the consequential proceedings.

3. Upon notice, learned State counsel has appeared. I have heard learned counsel for the parties and have perused the material placed on record.

4. However, at the time of arguments, learned counsel for the petitioner has made a statement that he does not press the relief sought in the present petition but has confined his prayer for early disposal of the trial as he is already facing the trial since the year 2017 and since trial will start de-novo, it will further escalate and may take years to conclude.

5. The afore-said prayer made by learned counsel for the petitioner is quite genuine and well founded and present petition is accordingly dismissed as withdrawn. However, the Court of learned Additional Sessions Judge, Gurugram is directed to make an endeavour to decide the trial within one year from the date of receipt of the copy of this order.

(Yashvir Singh Rathor)
Judge

November 27, 2025
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Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No