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

CRM-M-57313-2024 (O&M)

Date of decision: 01.05.2025

RAJVINDER SINGH BEDI

...Petitioner(s)

VERSUS

ANU SHARMA

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Anoop Verma, Advocate
for the petitioner.

Mr. Anand Bishnoi, Advocate
for the respondent.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking issuance of directions to the learned Judicial Magistrate 1st Class, Gurugram to decide the case bearing No.DV-66-2018 dated 04.04.2018 expeditiously in view of the order dated 26.05.2023 passed by this Court vide Annexure P-2, as the same is pending for more than 6 years and is at the stage of final arguments since 14.05.2024.

2. Learned counsel for the petitioner submitted that the grievance of the petitioner is that the respondent-wife had filed a complaint under the D.V. Act against him in the year 2018 but the proceedings have been delayed due to various adjournments being granted. He further submitted that the petitioner-husband for redressal of his grievance with regard to the speedy trial earlier



filed a petition before this Court bearing No.CR-3269-2023, wherein it was observed by a Coordinate Bench of this Court that it is expected and desired from the Court concerned to consider the provision of law relating to the time bound manner, in which such petitions, as in hand should be decided and also considering the various instructions given by this Court to make earnest effort for the expeditious disposal of the case and the aforesaid petition was disposed of on 26.05.2023 in view of the aforesaid observations. The operative part of the aforesaid order dated 26.05.2023 passed by this Court is reproduced as under:-

“Though, keeping in view the pendency, which is choking the lower Courts, no time bound direction, as such, can be given, but however, it is expected and desired from the Court concerned, to consider the provision of law, relating to the time bound manner, in which such petitions, as in hand, should be decided and also considering the various instructions given by this Court, to make earnest effort for the expeditious disposal of the case.”

3. Learned counsel for the petitioner further submitted that after the aforesaid order was passed by this Court, the proceedings had commenced properly but for the last about one year, the matter is being kept for final arguments. In this regard, he referred to the zimni orders (Annexure P-3 colly.) and submitted that since the matter is now fixed for final arguments and the same is not being heard and finally decided, appropriate directions may be issued to the learned Judicial Magistrate 1st Class, Gurugram to decide the same at any earlier date, within a time bound manner.

4. At this stage, Mr. Anand Bishnoi, Advocate has appeared on behalf of the respondent and submitted that he has received an advance copy of the



present petition. He further submitted that the matter is now at the stage of final arguments and the reason as to why it was kept for final arguments for a long time was that the respondent-wife filed an application for additional evidence which was considered by the learned trial Court and the same has been decided a few days ago in the month of April, 2025 granting liberty to the respondent-wife to produce all the documents on the date of final arguments. He also submitted that as now the case is fixed for final arguments, no such directions are required to be issued, at this stage.

5. I have heard the learned counsels for the parties.

6. The only grievance of the petitioner in the present case is that a direction may be issued to the learned Judicial Magistrate 1st Class, Gurugram for deciding the complaint filed by the respondent-wife in a time bound manner. As per the background so given by the learned counsel for the petitioner, the petitioner-husband had earlier also filed a petition before this Court as aforesaid and at that point of time even evidence had not started but thereafter, the proceedings took place and the matter was fixed for final arguments in the month of May, 2024 as per Annexure P-3 but as per the learned counsel for the respondent-wife, an application was filed in December, 2024 for additional evidence, which has now been decided a few days ago in the month of April, 2025 and that was the reason as to why the matter was not finally decided despite the fact that the same was kept for final arguments for a long time.

7. Considering the aforesaid factual position as so stated by both the learned counsels for the parties and especially the fact that for about one year, the matter was fixed for final arguments but because of pendency of the



application filed by the respondent-wife for additional evidence, which has now been decided a few days ago in the month of April, 2025 as per the learned counsel for the respondent-wife and the matter is now again fixed for final arguments, this Court is of the considered view that no such direction can be issued to the learned Judicial Magistrate 1st Class, Gurugram for fixing any time frame work once the matter is now fixed for final arguments and application for additional evidence has already been decided a few days ago in the month of April, 2025, as per the learned counsel for the respondent-wife.

- 8. Consequently, the present petition is dismissed.
- 9. Miscellaneous applications, if any, shall also stand disposed of since the main case has been dismissed.

01.05.2025
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No