



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

CRM-M-58804-2024

Date of decision: 25.02.2025

Kamlesh Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Prashant Vashisth, Advocate for the petitioner.

KARAMJIT SINGH, J. (ORAL)

1. The counsel for the petitioner inter alia submits that the FIR Annexure P-1 was falsely registered in this case by son of the complainant, on the basis of property dispute. The other accused in this case is another son of the petitioner. That both the said sons of petitioner have died and now there is no such dispute with regard to property is there. It is further submitted that Dharmender Kumar another son of the petitioner who faced trial was acquitted by the trial Court vide judgment dated 08.05.2018. It is further submitted that in the meantime, petitioner was declared proclaimed person but the said order was later on set aside by the Court concerned on 21.05.2024. The counsel for the petitioner while limiting his arguments submits that necessary directions be given to the learned trial Court to decide the criminal case based on FIR Annexure P-1, at the earliest, in the light of the afore-stated facts and circumstances of the case coupled with the fact that the petitioner is aged about 73 years of age and now the matter stands compromised.



2. Notice of motion.

3. Mr. J.S. Dhaliwal, AAG, Punjab, accepts notice on behalf of the State and submits that the present petition be disposed of in accordance with law.

4. Taking into consideration the fact that FIR Annexure P-1 was registered on 11.07.2013 and co-accused Dharmender Kumar is already acquitted and complainant has died and parties are closely to each other, the learned trial Court is hereby directed to dispose of the criminal case based on FIR No.188 dated 11.07.2013, under Sections 420, 467, 468, 471, 472, 473, 120-B IPC (Annexure P-1), registered at Police Station Phillaur, at the earliest in an expeditious manner without granting unnecessary adjournments.

5. The present petition is disposed of in aforesaid terms. However, it is made clear that any observation made herein above is not to be construed as an expression of opinion on the merits of the case.

25.02.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No