



CRM-M-61931-2025

-1-

125 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61931-2025

Date of decision: 06.11.2025

INDERJIT KAUR @ INDERJEET KAUR
CHAWLA

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUBHAS MEHLA

Present: Mr.Suneet Pal Singh Aulakh, Advocate for the petitioner.

SUBHAS MEHLA, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 528 of BNSS, 2023 for issuing of necessary directions to the prosecution to lead their evidence in expeditious manner and to the learned Court of Judicial Magistrate First Class, Amritsar to expedite the proceedings in the case bearing No.CHI/807/2018 dated 05.06.2018 titled as "State Versus Inderjit Kaur" pending before the said Court in FIR bearing No.539 dated 25.10.2017, under Sections 420 & 120-B of IPC, registered at Police Station Civil Lines, Amritsar.

2. Learned counsel for the petitioner submits that the petitioner has been facing trial in the present case for the last seven years, as the FIR pertains to the year 2017 and charges have already been framed. He further draws the attention of this Court to the table placed at pages 7 to 12 of the petition, detailing the proceedings of each date, which shows that the case has been adjourned on 51 occasions. Learned counsel confines his prayer to seeking a direction to the learned Judicial Magistrate First Class, Amritsar, to expedite the trial in a time-bound manner.

3. Notice of motion.



CRM-M-61931-2025

-2-

4. Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of the respondent-State and submits that out of 18 prosecution witnesses, 02 have been examined. He further submits that the trial has been delayed as one of the co-accused, namely, Paramjit Singh Chawla, has not been appearing before the Court and has been declared a proclaimed offender.

5. Heard.

6. The right to a speedy trial, is firmly entrenched in our Constitution jurisprudence under Article 21 of the Constitution of India, is not an abstract or illusory safeguard. It is a vital facet of the right to personal liberty and cannot be whittled down. The right to a speedy trial is an integral and essential part of the fundamental right to life and personal liberty guaranteed under Article 21 of the Constitution of India as held in “**Hussainara Khatoon and others Versus Home Secretary**” **AIR 1979 SC 1369**. It is the constitutional mandate that ensures fairness, justice, and the rule of law in the administration of criminal justice. Any unwarranted or inordinate delay in the conduct of investigation, trial, or appeal defeats the very purpose of justice and results in oppression and prejudice to the accused as well as to the victims. The Courts are, therefore, under a constitutional obligation to safeguard this right by ensuring that proceedings are conducted with due diligence, without unnecessary adjournments or procedural procrastination.

7. Keeping in view the contention of learned counsel for the petitioner, the present petition is disposed of with a direction to the Court of learned Judicial Magistrate 1st Class, Amritsar to conclude the trial expeditiously as the petitioner is facing trial for the last more than 07 years.

06.11.2025
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(SUBHAS MEHLA)
JUDGE

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