

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

123

2026 PHHC 071568



CRM-M-20086-2026 (O&M).
Date of decision: 07.05.2026.

AMAR KUMAR

...Petitioner(s)

VERSUS

SALIL NARAIN

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

PRESENT Mr. S.M. Wadhera, Advocate,
for the petitioner(s).

VINOD S. BHARDWAJ, J. (Oral)

CRM-15862-2026

Application is allowed as prayed for subject to all just exceptions.

Main case

The instant petition has been filed under Section 528 of BNSS, 2023 for seeking directions to the Additional Sessions Judge, Bathinda to decide criminal misc. Application No 729 of 2018, under Section 340 Cr.P.C. titled as 'Amar Kumar Vs Salil Narain' in a time bound manner.

Before proceeding further in the matter, this Court had deemed it appropriate to seek status report from the Sessions Judge, Bathinda in respect of pending Criminal Miscellaneous Application No.729 of 2018 in Civil Appeal No.312 of 2016 filed under Section 340 Cr.P.C. pursuant whereof the status report has been received which reads thus: -

“It is submitted that the application u/s 340 Cr.P.C. was filed before the Court on 20.10.2018 and notice was issued to the respondent. On 29.03.2019, respondent did not appear despite service and he was proceeded against exparte. The case has been fixed for evidence of applicant. Evidence of the applicant was concluded on 11.7.2019 and since then, the case is fixed for arguments. Case was received by way of transfer before my Ld. Predecessor (Ms.Surinder Pal Kaur, Addl. Sessions Judge) on 16.4.2026.

It is further submitted that after the transfer of my Ld. Predecessor, I have joined in her place on 28.04.2026 and this case has already been fixed for 06.07.2026 for arguments. It is submitted that sincere efforts shall be made to dispose off the case expeditiously. The report is being submitted accordingly.”

It is evident from a perusal of the above that notwithstanding the evidence of the applicant having been concluded on 11.07.2019, no decision has been taken by the Court in the pending application. The next date of hearing is stated to be 06.07.2026. I find no valid reason as to why no decision has been taken in the application despite the same having been fixed for arguments. Hence, Additional Sessions Judge, Bathinda, where the aforesaid application is pending, is directed to take a decision on the pending application

within a period of three months from the date of receipt of a certified copy of this order.

The present petition stands allowed in above terms.

May 07, 2026.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

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