

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-14055 of 2015
Date of Decision: 22.12.2016**

Jyoti Chugh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Navrattan Singh, Advocate for
Mr. Navkiran Singh, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. Daldeep Singh, Advocate
for the accused.

ANITA CHAUDHRY, J(ORAL)

This petition has been filed by the petitioner under Section 482 Cr.P.C. for giving directions to the Additional Sessions Judge, Bathinda to expedite the trial.

Giving the sequence, counsel for the petitioner contends that the accused had approached the Court with a petition in 2014 which they had withdrawn but the Co-ordinate Bench while disposing of the case had also given certain directions including exemption to Reetu Setia unless the trial Court required her presence.

The counsel urges that the petitioner as well as the accused had filed two revision petitions challenging the order passed by the Court below which were disposed of vide Annexure A-1 in March 2016 and direction

was given to the trial Court to proceed with the trial expeditiously as it had been delayed.

Counsel for the petitioner submits that they have placed on record the zimni orders which show that every attempt is being made by the accused to delay the case and one of the accused failed to appear and without her presence charge could not have been framed and despite the order dated 31.3.2016, they had been moving applications before the Court below for collecting evidence on their behalf and thus stalling the trial.

Counsel for the accused submits that charge has now been framed.

A perusal of the zimni orders show that though the trial Court had noted in the order dated 7.6.2016 that presence of the accused was required for framing of charge but still the accused had not appeared. They had been moving applications for exemption or for giving directions to the prosecution or the investigating officer for collecting evidence which should have been done at the stage of defence. The accused have not allowed the proceedings to start. Charge has now been framed in December 2016.

It is a fit case where directions need to be given to the trial Court to expedite the trial and complete it within six months from the next date of hearing. The accused would ensure that their counsels are present on each date of hearing and they will not seek adjournments.

The petition is disposed of with the above directions.

**(ANITA CHAUDHRY)
JUDGE**

December 22, 2016
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No