

242.

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

CRM-M-56982-2022

Date of decision: 31.07.2023

Vikas Duhan

...Petitioner

VS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Kanhiya Soni, Advocate for the petitioner.

Mr. Mohit Thakur, AAG, Punjab.

ARUN MONGA, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. for issuance of directions to learned trial Court to decide the trial bearing No.CHI-61-2020 titled as *State Versus Vikas and others* pending before Court of learned Judicial Magistrate 1st Class, Dera Bassi in case bearing FIR No.123, dated 18.07.2018, under Sections 419 and 120-B IPC registered at Police Station Lalru, District SAS Nagar.

2. In response to the petition, a report dated 23.02.2023 has been filed which reads as under:-

“..... during the course of investigation, strenuous efforts were made to arrest the accused Sippad, Kulvir Singh, Pawan Kumar, Manoj Kumar, Neeraj Kumar, Amit, Karamveer Singh, Dinesh Kumar and Bikram, however, they could not be traced out and could not be arrested. The investigation qua the said accused is underway and sincere efforts are being made to take the same to its logical conclusion.”

3. In view of the aforesaid, it transpires that the prosecution is making all endeavours to proceed further in the trial as well as in

apprehending the accused who so far have not surrendered/subjected themselves to investigation.

4. Nothing survives for adjudication before this Court other than the expectation that the prosecution and the Court shall proceed further as expeditiously as possible and will make all endeavours to decide the trial.

5. Needless to say that non-indulgence of this Court shall not be construed to mean that the trial cannot proceed further against the other accused in case the same is permissible on the basis of charge already framed and the evidence qua the same is available with the prosecution.

6. Disposed of accordingly.

7. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

31.07.2023

sanjeev

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No