



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

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**CRM-M No.12081 of 2025
Date of Decision: 04.03.2025**

Amarjit Singh Chattha and Others Petitioners

Versus

State of Punjab and Others Respondents

CORAM: HON'BLE MR. JUSTICE H. S. GREWAL

Present Mr. Ankur Mittal, Advocate with
Mr. Lalit Singla, Advocate
Mr. Kushaldeep Kaur, Advocate
Ms. Varsha Sharma, Advocate for the petitioner(s).

H. S. GREWAL, J.

The present petition has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita (BNSS) seeking direction to the trial Court concerned to expedite the trial proceedings in criminal complaint No.31 of 2019 in the Court of Chief Judicial Magistrate, SAS Nagar, Mohali and to decide the same in a time bound manner.

2. Learned counsel for the petitioners contends that the petitioners have filed the complaint for the offences under Sections 406, 420, 467, 468, 471, 120-B of IPC, 1860 against the private respondents i.e. respondent Nos.2 to 14. The private respondents were summoned vide order dated 03.10.2019, thereafter pre charge evidence is going on, however, the trial is being delayed on account of non appearance of one or the other respondents who either seek exemption or are not appearing before the Court concerned.

3. Notice of motion.



4. On the asking of the Court, Mr. Amandeep Singh Samra, AAG, Punjab, who is present in Court accepts notice on behalf of the respondent-State.
5. The only grievance of the petitioners is that the trial proceedings are being delayed at the hands of the private respondents by moving application for seeking exemption from their personal appearance one after another, which is resulting in delay in leading pre charge evidence.
6. The perusal of the zimni orders (Annexure P-4) shows that the trial is pending for leading pre-charge evidence since a long time.
7. The law is well settled that criminal Courts should exercise their available powers to effectuate the right to speedy trial. Such a long pendency of trial is violative of Article 21 of the Constitution of India as a speedy trial is implicit in the broad sweep and content of Article 21 of the Constitution of India.
8. Keeping in view the serious nature of offence(s) involved, this Court deems it appropriate to direct the trial Court to conclude and decide the trial arising out of Complaint No.31 of 2019 pending in the Court of Chief Judicial Magistrate, SAS Nagar, Mohali within a period of one year.
9. Disposed of.

(H.S. GREWAL)
JUDGE

04.03.2025

Sonia Puri

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>