

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

2025:PHHC:107461



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CRM-M-38973-2025 (O&M)

Date of Decision: 19.08.2025.

Kamal Narang

...Petitioner.

Versus

Bhavya Batra

...Respondent.

CORAM: HON'BLE MRS. JUSTICE SUKHVINDER KAUR

.....

Present: Mr. Vishal Sharda, Advocate
for the petitioner.

SUKHVINDER KAUR, J.

Prayer in the instant petition filed under Section 528 of BNSS, is for issuance of direction to the trial Court to decide the criminal complaint CIS No.NACT/10613/2018 dated 26.11.2018 expeditiously in a time bound manner.

Learned counsel for the petitioner has contended that the petitioner had advanced a loan of Rs.7,00,000/- to the respondent on 11.09.2016 and against the outstanding amount of Rs.6,51,788/- the respondent had issued a cheque dated 24.08.2018 for Rs.2,76,000/-, which was dishonoured with the remarks 'payment stopped by drawer'. Despite issuance of legal notice, the respondent failed to make the payment. He further submits that since the institution of the complaint, after cross-examination of the complainant on 31.03.2023, the said complaint is being adjourned time and again for the purpose of leading defence evidence. As many as 18 opportunities

were granted for defence evidence, when last opportunity was granted to the respondent, an application for summoning the witnesses was filed by the respondent. As such, the respondent is intentionally delaying the trial. He further submits that the petitioner is a patient having diagnosed with stage 3 Oral Cancer and is in dire need of money for his treatment as well as for the education and marriage of his daughter. Thus, as the trial in question is pending before the trial Court since a long time, the trial Court may be directed to expedite the trial in a time bound manner.

Heard.

Vide order dated 23.07.2025 passed by this Court, report from the Court concerned was called. In compliance of said order, report dated 13.08.2025 from the trial Court has been received, as per which, the case before the trial Court is now fixed for 22.08.2025 for defence evidence.

The said complaint case is pending since long for adjudication before the trial Court. As speedy trial is a fundamental right of the petitioner enshrined under Article 21 of the Constitution of India, it would be in the interest of justice if the trial Court is directed to expedite the trial in said complaint. Accordingly, the present petition is disposed of with a direction to the trial Court to proceed with the complaint as per law, expeditiously and to conclude trial preferably within a period of five months.

Disposed of accordingly.

(SUKHVINDER KAUR)
JUDGE

19.08.2025.

Komal

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