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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24413-2025

Date of Decision:- 11.08.2025

MXXX

...Petitioner

Vs.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Manoj Kaushik, Advocate and Mr. Shubhkarman Kumar,
Advocate for the petitioner.
Ms. Aditi Girdhar, AAG, Haryana.

AMARJOT BHATTI, J.

Petitioner 'M' has filed this petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 for issuance of appropriate directions to learned trial Court i.e. learned Additional Sessions Judge, Faridabad to expedite the trial in FIR No.124 dated 28.09.2023, under Sections 376(2)(n), 313, 384, 406, 506 of IPC, registered at Police Station Women Central Faridabad, District Faridabad bearing Sessions Case No.711-2023 as there was excessive delay in completing the statement of prosecutrix examined as PW1 which started on 23.04.2024 and was still pending at the time of filing of the present petition.

2. Learned counsel for the petitioner argued that petitioner is victim of heinous crime and she is appearing in the Court for her cross-examination time and again but the statement has not been completed till date. Therefore, petitioner is compelled to file present petition.

3.. Status report has been filed confirming that on completion of

investigation, challan was prepared and submitted before Illaqa Magistrate on 22.11.2023. Commitment order was passed on 08.12.2023. Charges were framed on 30.01.2024 and thereafter case was adjourned for prosecution evidence. Prosecutrix appeared in this case on 23.04.2024 and thereafter, her cross-examination was deferred time and again which has resulted into delay in the proceedings of trial. Report of trial Court has been received confirming the aforesaid factual position. However, at present statement of prosecutrix has been completely recorded as PW1 and the trial is pending for remaining evidence.

4. Considering the aforesaid factual position, it is evident that time was consumed in completing the statement of prosecutrix as PW1. As per letter No.454 dated 05.08.2025, learned Additional District and Sessions Judge, Faridabad recorded that statement of prosecutrix has been completely recorded and concluded on 01.08.2025. Other prosecution witnesses are yet to be examined. As per custody certificate (Annexure R-7) petitioner is on bail. Both petitioner as well as the victim has right to speedy trial. Trial is already more than one year old. In view of aforesaid factual position, learned trial Court is directed to expedite the trial. With this direction, petition is disposed of.

5. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

11.08.2025
snd

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