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BISHAN DASS AND ORS VS STATE OF PUNJAB AND ANOTHER

Present: Mr. Ankur Bansal, Advocate,
for the petitioners.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

Though an adjournment is sought, the learned counsel for the State while referring to the zimni orders informs the Court that the petitioners are repeatedly seeking adjournments on the grounds that a quashing petition is pending before this Court.

2. The zimni orders passed by the Trial Court read as under:-

“On the application, personal appearance of Accused Jasvir Singh is exempted for today only.

Today the case was fixed for consideration on the charge. However, learned counsel for the accused appeared and requested for an adjournment on the ground that they have already filed the quashing petition before the Hon'ble Punjab and Haryana High Court. Let case stands adjourned to 11.04.2023 for consideration on the charge”.

Date of Order: 24.03.2023

(Manu Singla)

Judicial Magistrate First Class-15

UID NO.PB00600

“Case was fixed for consideration on charge. However, learned counsel for accused has submitted that a quashing proceeding has been filed before the Hon'ble Punjab and Haryana High Court. Copy of order dated 03.05.2023 passed by the Hon'ble Punjab and Haryana High Court has been placed on the file. Report of Ahlmad seen. Now to come upon



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11.08.2023 for awaiting further order from the Hon'ble Punjab and Haryana High Court”.

Date of Order: 19.05.2023 (Srijan Shukla)
Judicial Magistrate First Class-15
UID NO.PB00600

“Further orders not received from the Hon'ble High Court. Now to come up on 15.09.2023 for awaiting further orders from the Hon'ble High Court”.

Date of Order: 11.08.2023 (Srijan Shukla)
Judicial Magistrate First Class-15
UID NO.PB00600

“Further orders not received from the Hon'ble High Court. Now to come up on 24.11.2023 for awaiting further orders from the Hon'ble High Court”.

Date of Order: 15.09.2023 (Ms. Srijan Shukla)
Judicial Magistrate First Class-15
UID NO.PB00600

3. Despite the fact that there is no stay on the proceedings before the Trial Court, the petitioners are repeatedly seeking adjournments on the grounds that the present petition for quashing of the FIR is pending before this Court.

4. I have found that in a number of cases where there are no interim orders interdicting the trial, at the instance of the counsels for either parties, the Trial Courts are not proceeding with the case for the reasons best known to them. Therefore, I deem it appropriate to issue specific directions



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to the Trial Courts to continue with their proceedings unless there is a stay granted on the said proceedings by any superior Court.

5. A copy of this order be communicated to all the District & Sessions Judges in the States of Punjab, Haryana and U.T., Chandigarh for necessary compliance. A copy of this order be also supplied to the Director of the Judicial Academy, Sector 43, Chandigarh for necessary information.

6. Adjourned to 29.02.2024.

**(JASJIT SINGH BEDI)
JUDGE**

November 21, 2023
sukhpreet

