



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

136

CRM-M-19015-2026 (O&M)

DECIDED ON: 20.04.2026

KUSUM SHARMA**.....PETITIONER****VERSUS****STATE OF HARYANA****.....RESPONDENT****CORAM: HON'BLE MR. JUSTICE SURYA PARTAP SINGH**

Present: Mr. Rakshit Raj Chauhan, Advocate for the petitioner.

Mr. Ramender Singh Chauhan, AAG Haryana.

SURYA PARTAP SINGH, J. (Oral):

1. This petition under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed by the petitioner, who is a proposed accused in a complaint case No.COMI/145/2021 titled as 'Vineeta vs State & Ors.', pending in the Court of learned Additional Chief Judicial Magistrate, Gurugram. This petition has been filed on the premise that in the complaint pending before the Court of learned Additional Chief Judicial Magistrate, Gurugram, wherein the petitioner has been arrayed as an accused, neither any cognizance has been taken by the learned trial Court nor the application filed by the complainant under Section 156(3) Cr.P.C. has been decided. The petitioner wants the expeditious disposal of the case.

2. Taking into consideration the fact that the cognizance on the abovementioned complaint is, yet, to be taken by the Court or the police authority, in my opinion the petitioner has got no *locus standi* to file a



petition under Section 528 of BNSS for expeditious disposal of the complaint filed by the complainant. Since the petitioner has no *locus standi* to file the present petition at this stage, it is hereby observed that the present petition is not maintainable and deserves dismissal. The same is hereby *dismissed*.

3. Pending miscellaneous application(s), if any, shall stand disposed of.

4. A copy of this order be forwarded to the learned District & Sessions Judge Gurugram for looking into the allegations that the application under Section 156(3) Cr.P.C. is pending for more than five years.

20.04.2026

Vinod

(SURYA PARTAP SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No