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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CRL.M.C. 2269/2010

PREM CHAND GUPTA

..... Petitioner

Through : Mr. Sachin Mishra, Adv.

versus

STATE

..... Respondent

Through : Mr. M.N. Dudeja, APP for State.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

O R D E R

05.10.2010

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A status report dated 30.8.2010 has been forwarded by the learned Metropolitan Magistrate, wherein it is stated that the matter is at the stage of pre-charge evidence, for consideration of the pending application and for proceedings under Section 82 of Cr.P.C. against the accused No.3. The matter was instituted on 12.11.2006. The main ground for delay is stated to be the frequent adjournments sought by the complainant/petitioner to engage a legal aid counsel. It is also stated that for the last 2-3 dates, efforts were made to secure the presence of the accused No.3 by issuing bailable warrants, non-bailable warrants and process under Section 82 of the Cr.P.C. and on the last date, again an adjournment was sought by the petitioner, to engage a legal aid counsel.

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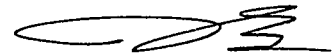
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Having regard to the status report, the delay in the trial, if any, is apparently attributable to the petitioner himself. That the petitioner is aged 85 years and therefore seeks expeditious trial is one part, but if he keeps seeking adjournments to engage legal aid counsel from time to time, it would not help in expeditious disposal of his case.

Having regard to the status report of the learned Metropolitan Magistrate, this Court is satisfied that the matter is being proceeded with reasonable dispatch and no orders are required for directing expeditious trial of the case. The petitioner is also directed to co-operate in the matter and ensure that unnecessarily adjournments are not sought by him. Learned APP for the State is directed to ensure the presence of the accused No.3 before the trial court.

The petition is disposed of.



HIMA KOHLI, J

OCTOBER 05, 2010
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