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* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CRL.M.C. 2326/2010

RAVI KAPOOR

Through Mr Simod Benjamin, Adv.

..... Petitioner

versus

THE STATE (GOVT. OF NCT) DELHI

Through Mr. Sunil Sharma, Addl. PP
Mr. O.P. Saxena, APP

..... Respondent

CORAM:
JUSTICE SHIV NARAYAN DHINGRA

ORDER
10.09.2010

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This petition has been filed for direction to trial court for expeditious trial. Learned Additional Public Prosecutor for the State has filed a chart of dates showing that Public Prosecutor was available on almost all dates. A perusal of chart shows that some adjournments were taken jointly by the Public Prosecutor and defence counsel. Some adjournments were taken by defence counsel either asking that weapon should be again sent to FSL for re-examination or that he will argue on charge only after receiving the report from FSL. One adjournment was granted at the instance of PP.

Now adjournments have become *sine qua non* of our judicial system. When the trial court refuses to give adjournment, even on fake grounds, the other party approaches the next higher Court and the next higher court normally 'in the interest of justice' allows such petitions and in the process more delay in trial occurs. Under these circumstances, I consider that trial court always considers it better to give an adjournment instead of

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letting the case further delayed for several months. No fault can be found with this practical approach being adopted by the trial court. I find no force in this petition. However, it is directed that trial court shall continue the trial of the case with priority being accorded to accused persons in jail and looking into the year of the offence. The petition is disposed of with these directions.

SEPTEMBER 10, 2010
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SHIV NARAYAN DHINGRA, J