

62& 63# \$~

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 1599/2009**

RAJESH @ IMRAN

..... Petitioner

Through: Mr. Ashutosh Bhardwaj, Advocate.

versus

STATE OF N.C.T. OF DELHI

..... Respondent

Through: Mr. Manoj Ohri, APP with ACP
Subhash Tandon.

AND

+ **BAIL APPLN. 383/2011**

SANDEEP

..... Petitioner

Through: Mr. Sumit Chaudhary, Advocate.

versus

STATE

..... Respondent

Through: Mr. Manoj Ohri, APP with ACP
Subhash Tandon.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

18.11.2011

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By this petition the Petitioners have sought bail in case FIR No. 62/2006 under Section 302/34 IPC registered at PS Bawana.

The primary grievance of the Petitioners is that they are in custody since March and November, 2006 respectively and there are as many as 83 witnesses to be examined by the State out of which only 18 witnesses have

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been examined.

A report was called from the learned District Judge-cum-learned Additional Session Judge, Rohini to look into the matter and submit a report regarding the reasons for the delay in the Trial and also the feasibility of transferring this matter to the Fast Track Court. A report has been received from the learned Trial Court stating that 14 witnesses have been examined by the Trial Court and there was no delay on its count, however, no further details have been given regarding the delay in trial. It is further stated that since the case pertain to the year 2006, it can be referred to Fast Track Court.

Undoubtedly the Petitioners are in custody since 2006 and the trial has not progressed hence in such circumstances, this is a fit case to be transferred to the Fast Track Court.

The learned Sessions Judge is thus directed to transfer the case to the Fast Track Court.

Copy of the order be communicated to the learned District and Sessions Judge.

Petitions are disposed of.


MUKTA GUPTA, J.

NOVEMBER 18, 2011/‘vn’