

Court No. - 44

Case :- MATTERS UNDER ARTICLE 227 No. - 8382 of 2023

Petitioner :- Satendra

Respondent :- Smt. Pinkey

Counsel for Petitioner :- Rajnish Dubey

Hon'ble Manoj Bajaj.J.

Satendra-Petitioner (accused) has filed this petition under Article 227 Constitution of India for issuance of directions to the learned Additional District and Sessions Judge-IIIrd, F.T.C., Bulandshahar to decide the Sessions Trial No. 1915 of 2021, titled *State Vs. Satendra*, arising out of Case Crime No. 1139 of 2021, under Sections 376(1), 323, 506 I.P.C., Police Station Kotwali Nagar, District Bulandshahar in stipulated period.

Learned counsel for petitioner has submitted that the petitioner being an accused in the above mentioned criminal case and is subjected to prolonged trial as the prosecution is not examining its witnesses. He submits that the necessary directions be issued to the trial court for concluding the trial in specific time frame.

Upon hearing the learned counsel for petitioner and considering his submissions, this Court finds that after the committal of case before the court of sessions, the charges against the accused were framed on 14.4.2022. A perusal of the *zimni* orders passed by the trial court further shows that trial proceedings were adjourned on different grounds including the application on behalf of the petitioner-accused seeking exemption from personal appearance, absence of the counsel for the accused or upon a call given by advocates for abstaining from work. The facts and circumstances of the case do not make out an exceptional case for issuance of

directions to the trial court for concluding the trial in a specific time frame.

Thus, finding no merit in this petition, this Court is not inclined to exercise the superintendence power under Article 227 Constitution of India.

The petition is accordingly, dismissed.

Order Date :- 17.11.2023

P.S.Parihar