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

+ BAIL APPLN. 668/2016

MAHENDER KUMAR Applicant
Through Ms. Manika Tripathy Pandey, Adv.

versus

STATE Respondent
Through Ms. Radhika Kolluru, APP
SI Mandeep, PS Crime Branch

CORAM:
HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

ORDER
% **03.05.2016**

The present is an application under Section 439 of the Code of Criminal Procedure, 1973 seeking grant of regular bail in FIR No. 195/2011, under Sections 395/397/412/120B IPC registered at Police Station- Mandavali, Delhi.

Ms. Radhika Kolluru, learned APP appearing on behalf of the official respondent states that 15 prosecution witnesses out of the total number of 54 witnesses have been examined and discharged by the Trial Court; and one public witness has been partly examined.

A perusal of the testimony of PW-2, the Branch Manager of the financial institution, where the offence is alleged to have been committed, *prima facie*, demonstrates the involvement of the applicant herein. This evidence against the applicant is supported by the prosecution on the basis of recovery of one country made pistol and one gold chain at the applicant's instance.

Be that as it may, as this Court has repeatedly observed, it is the constitutional right of every accused to be tried expeditiously particularly when he is denied his personal liberty as a consequence of the allegations levelled against him. In my view, this is one of the cardinal tenets of criminal

jurisprudence and the criminal justice system. [Ref. *Kartar Singh vs. State of Punjab* reported as *1994 SCC (3) 569*].

In addition to that, in the present case it is observed that the applicant has been in judicial custody since 24th May, 2011.

Therefore, without commenting on the merits of the present application, the same is disposed of with a direction to the trial court to conclude the subject trial and render a decision as expeditiously as possible, and preferably, within a period of six months from the next date of hearing before it i.e. 18th May, 2016, without granting any unwarranted adjournments to counsel appearing on behalf of the parties. Needless to say that liberty is reserved to the applicant to approach this court afresh in the event the subject trial is not concluded expeditiously.

The present bail application is disposed of accordingly.

SIDDHARTH MRIDUL, J

MAY 03, 2016

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