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

+ W.P.(CRL) 1099/2017

BRAJENDRA KUMAR Petitioner
Through: Mr.Amit Kumar Singh, Adv.

versus

STATE NCT OF DELHI & ANR Respondent
Through: Mr.Piyush Aggarwal, Adv.
SI Praveen Kumar, P.S.Mandawali.

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **17.04.2017**

Crl.M.A.6162/2017

Exemption allowed, subject to all just exceptions.

Application is disposed of accordingly.

W.P.(CRL) 1099/2017

The writ petition preferred by the petitioner who is the husband of the complainant/informant prays for termination of the trial proceedings against him pending adjudication before the learned Magistrate by quashing of FIR No.375/2006 instituted on 12.07.2006 for the offence under Section 498A of the IPC in Mandawali police station in East Delhi. An alternative prayer has been made seeking a direction to the Court, in seisin of the matter, to conduct the trial on a day to day basis and conclude the same within a maximum period of 90 days.

Learned counsel for the petitioner submits that the FIR was lodged in the year 2006 wherein, after a full fledged investigation, chargesheet was filed on 13.04.2007. The charges in this case were framed only on 24.03.2015. The parents of the petitioner, who were also made accused in the case were ultimately discharged. As against the petitioner, the charge under Section 406 was dropped.

It is further submitted that uptil now only the complainant has been examined and even her examination has not been completed.

In such circumstances, the present petition has been filed seeking quashing of the FIR or in the alternative, as stated above, for a direction to the Court below to expedite the conclusion of the trial.

This Court does not consider it necessary to issue notice to either the State or to the informant for giving such a direction.

It would be a travesty of justice if cases remain pending for such a long time.

The Court below shall ensure that the trial is concluded at the earliest. In case, the witnesses are not coming, all necessary coercive steps shall be taken by the Court to ensure the presence of the witnesses.

This Court hopes and trusts that the trial Court shall, with a proactive effort in concluding the case as early as possible, shall conclude the same within a period of six months from today.

The petition is disposed of.

ASHUTOSH KUMAR, J

APRIL 17, 2017

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